

compulsory Sunday observance; to the Committee on the District of Columbia.

3612. By Mr. SPEAKS: Petition signed by Mrs. A. L. Gilmore and some 50 citizens of Columbus, urging the enactment of legislation increasing pension rates of Civil War soldiers and survivors; to the Committee on Invalid Pensions.

3613. Also, petition signed by Fred B. Lytle, Columbus, Ohio, and some 137 residents of Franklin County, Ohio, protesting against the enactment of House bill 78; to the Committee on the District of Columbia.

3614. Also, petition signed by C. W. Kussmaul and some 14 other citizens of Columbus, favoring the enactment of legislation increasing pension rates of Civil War veterans and widows; to the Committee on Invalid Pensions.

3615. By Mr. YON: Petition of G. A. Hawkins and 100 other citizens of Bay County, Fla., protesting against the passage of the Sunday observance bill (H. R. 78); to the Committee on the District of Columbia.

## SENATE

FRIDAY, February 10, 1928

(Legislative day of Thursday, February 9, 1928)

The Senate reassembled at 12 o'clock meridian, on the expiration of the recess.

### PRESIDENTIAL TERMS

The VICE PRESIDENT. The Chair lays before the Senate the unfinished business, Senate Resolution 128.

The Senate resumed the consideration of the resolution (S. Res. 128) submitted by Mr. LA FOLLETTE, as follows:

*Resolved*, That it is the sense of the Senate that the precedent established by Washington and other Presidents of the United States in retiring from the presidential office after their second term has become, by universal concurrence, a part of our republican system of government, and that any departure from this time-honored custom would be unwise, unpatriotic, and fraught with peril to our free institutions; and be it further

*Resolved*, That the Senate commends the observance of this precedent by the President.

Mr. JONES. Mr. President, if this were a resolution submitting an amendment to the Constitution providing for not more than one or two terms for a President, there might be much urged in favor of it. It does nothing of the kind. It proposes no action by the Senate. It proposes no study or legislation and not even an investigation of any sort. The passage of the resolution, in my judgment, amounts to nothing more than the declaration of 49 or more Senators that in their judgment the people of the country are not competent to select their President.

Mr. President, I can not subscribe to any such doctrine. I shall vote against the resolution and await with interest the vote of Senators whose party slogan a few years ago was "Let the people rule." Nor can I subscribe to the declaration in the resolution that leaving the selection of their President to the American people would be "unwise, unpatriotic, and fraught with peril to our free institutions." Such a reflection as that upon the American people is wholly unwarranted and unjustified. If there is such danger in trusting the people, let an amendment be submitted to the Constitution restricting or limiting the terms of their Presidents, and give the people the opportunity of deciding as to whether or not they want to limit themselves further as to the selection of their Presidents.

Mr. EDGE and Mr. HARRISON suggested the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Ferris	McKellar	Shipstead
Barkley	Fess	McLean	Shortridge
Bingham	Fletcher	McMaster	Simmons
Black	Frazier	McNary	Smith
Blaine	George	Mayfield	Smoot
Blease	Gerry	Metcalf	Steak
Borah	Gillett	Moses	Steiwer
Bratton	Glass	Neely	Stephens
Brookhart	Gooding	Norbeck	Swanson
Broussard	Gould	Norris	Thomas
Bruce	Greene	Nye	Trammell
Capper	Harris	Oddie	Tydings
Caraway	Harrison	Overman	Tyson
Copeland	Hawes	Pine	Wagner
Couzens	Hayden	Pittman	Walsh, Mass.
Curtis	Heflin	Ransdell	Walsh, Mont.
Cutting	Howell	Reed, Pa.	Warren
Dale	Johnson	Robinson Ark.	Waterman
Deneen	Jones	Robinson, Ind.	Watson
Dill	Kendrick	Sackett	Willis
Edge	King	Schall	
Edwards	La Follette	Sheppard	

Mr. JONES. I desire to announce that the junior Senator from New Hampshire [Mr. KEYES] is necessarily absent on official business.

The VICE PRESIDENT. Eighty-six Senators having answered to their names, a quorum is present.

Mr. SHORTRIDGE. Mr. President, I crave the indulgence of the Senate while I discuss, and I hope briefly, a resolution which I venture to suggest has no place in this body. I apologize, therefore, for taking up the time of the Senate upon a subject such as this; but perhaps I will be pardoned in view of the example which has been set.

Mr. President, I keep uppermost in my mind the Constitution of our country. That Constitution was framed by wisdom and ratified by a patriotic people. Under that Constitution we have grown from weakness unto strength, from a Nation of three and one-half millions of people to a mighty Republic of over 110,000,000, from a little Nation to one of the greatest and the most prosperous on the earth.

Naturally the pending resolution has brought to our attention the father of our country. All the resources of lofty and loving eloquence have been exhausted in vain attempts to portray the greatness and the genius for war and government of Washington. Orators, poets, historical writers, philosophers on government, each in his turn has paid tribute to the father of our country. The character of Washington, his words, his thoughts, his example have properly and naturally been brought to our attention, and before I shall have finished I hope to quote the very words of Washington in respect to the very matter embraced within the resolution before us.

I digress to say aside that I have been somewhat surprised that Senators have not consulted the writings of Washington; not what has been said of him in eulogy, but what he, the wise man, the patriotic man, the great man, said in respect of this very proposition, namely, the eligibility or ineligibility of the occupant of the presidential office. I now say at the very outset that if we read what he wrote we shall see that George Washington saw no danger to the Republic in leaving it to the wisdom and the patriotism of the people of America to choose their President.

I say with respect, as I remarked in passing a moment ago, that a resolution of this sort has no place in the Senate. This is a legislative body. The Constitution very wisely divides our Government into three great departments—the legislative, with certain delegated power; the executive, with well-defined power; and the judicial, with power to interpret, to construe the Constitution and the laws made in pursuance thereof, and laws enacted by the different States to determine whether those laws run counter to the supreme law of the Constitution or laws made in pursuance thereof.

Mr. BINGHAM. Mr. President, will the Senator yield at that point?

The PRESIDENT pro tempore. Does the Senator from California yield to the Senator from Connecticut?

Mr. SHORTRIDGE. I yield.

Mr. BINGHAM. The Senator has said that the Senate is a legislative body. Has he forgotten that it recently considered itself to be judicial?

Mr. SHORTRIDGE. I had. I should add that while it is a legislative body, its functions may be divided into three parts: First, legislative power proper; second, advisory power in the matter of treaties and certain Federal offices; and, third, judicial power when it comes to sit as a court or a body of impeachment. So the purpose and essence of this resolution can not fall within any one of these three functions which the Senate specifically has under the Constitution.

Ah, it may be said that this is a mere idle remark; but, Mr. President, if this resolution is proper to be entertained, proper to be discussed, taking the time of the Senate for hours and days, then it is quite easy to suggest that there are many other resolutions that might well, with equal propriety, be introduced and disposed of. This resolution might well be debated by members of some kindergarten school in some remote village; but the Senate of the United States is not the place for its consideration. However, the Senator from Wisconsin [Mr. LA FOLLETTE], seeing the pillars of the Republic trembling and the "wide arch of the ranged empire" collapsing, and fearing that Plymouth Rock may be taken up and thrown into the sea, introduces this moth-eaten resolution.

It has afforded a coveted opportunity for Senators to display knowledge of a few scraps of history; and it has enabled some Senators to unleash their tongues, rush to the door of the temple of liberty, and beat back the enemies of the Republic—as though to-day, in this year of our Lord 1928, an enemy was at our gate, that Hannibal was within sight of Rome.

Since I see my scholarly friend from Utah [Mr. KING] smiling, for his mind goes back over the past and he knows something of the history of the world, I wonder what would have been said in the Roman Senate when Hannibal was within a few miles from Rome, out there on the Applan Way, if some senator in his toga had risen and introduced a resolution that no general of the Roman Army should be appointed or reelected a third time—if it had been suggested that Fabius be dismissed! As Senators familiar with history know, if a Roman senator had made such a proposition in the Roman Senate he would have been hurled from the Tarpeian Rock; he would have been regarded as another Catiline.

Mr. President, what is the meaning of this resolution?

Mr. NEELY. Mr. President—

The PRESIDENT pro tempore. Does the Senator from California yield to the Senator from West Virginia?

Mr. SHORTRIDGE. I yield with pleasure.

Mr. NEELY. I hope that the scholarly and eloquent statesman from California does not mean to intimate that Senators will, by supporting the La Follette resolution, become as infamous as Catiline, who murdered his brother-in-law and conspired to overthrow the government of his country.

Mr. SHORTRIDGE. No; but I am prompted to say that it seems to me that any Senator who votes for this immediate resolution is afraid of the people of the United States of America, or, perhaps, thinks that we have sunk to that depth of political depravity suggested by Washington in his letter to Lafayette when we may not rely upon the people of the Republic.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator yield to me?

Mr. SHORTRIDGE. Yes; I yield to the Senator.

Mr. ROBINSON of Arkansas. The plain inference from the Senator's remarks is that he favors a third term for the Chief Executive?

Mr. SHORTRIDGE. Not at all. I will make myself plain; it will not be necessary to draw an inference. I generally attempt to make myself clearly understood.

Mr. ROBINSON of Arkansas. But the Senator has stated that it is almost treasonable for other Senators to support a resolution declaring against a third term for the Chief Executive. What other inference could one draw from his remarks?

Mr. SHORTRIDGE. You may draw this inference, I will say to the Senator from Arkansas, that any Senator to-day who feels it necessary to warn against a third term for the President must have reached the conclusion referred to by Washington, that he fears the people have become so debauched, so lost to political virtue, so cooled off in their reverence for the Constitution and the laws, that we may not trust them. I do not occupy that position, and I do not think the Senator from Arkansas does; I am sure he does not.

Mr. ROBINSON of Arkansas. Will the Senator inform the Senate whether he favors a third term for the Chief Executive?

Mr. SHORTRIDGE. I can imagine conditions, such as Washington points out, when it would be the patriotic duty of the Nation or of the people of the United States to continue in their service a chosen Chief Executive, the Commander in Chief of their Army and Navy.

Mr. ROBINSON of Arkansas. Well, if I understand the Senator, my first inference was correct, namely, if the Senator thinks the country has a good President that President is justified in seeking a third term or the people are justified in supporting him for a third term.

Mr. SHORTRIDGE. The Senator, of course, will utterly fail in attempting to state my position wrongly; he does not do it intentionally; but I say this: I am going to leave this matter with the people of the United States.

Mr. ROBINSON of Arkansas. We shall all do that.

Mr. SHORTRIDGE. Of course we shall.

Mr. ROBINSON of Arkansas. We shall all do that if any President—

Mr. SHORTRIDGE. Let us do it, then.

Mr. ROBINSON of Arkansas. If any President chooses to violate the precedent about which we are speaking; but I do not feel that there is anything treasonable or cowardly in a Senator expressing his adherence to what has become the accepted policy of the Nation.

Mr. SHORTRIDGE. I will discuss that, but I am not imputing treason. I am saying—and I shall not longer be diverted—that I am willing to trust the people; and I do not think they are calling upon the Senator from Arkansas or upon me or upon other Senators here to legislate for them or to pass any such resolution. I have faith in the people of the United States. I believe the people of the Senator's great State and of my State love the Constitution to-day better and have greater

faith in our form of government than they ever had before. And therefore—

Mr. ROBINSON of Arkansas. Is the Senator—

Mr. SHORTRIDGE. Pardon me. Therefore—and I repeat myself over and over again—this seems to me to be an untimely resolution; it is an unwise resolution; nor is it true, so far as treason is concerned, that it would be unpatriotic for the people of America in a great emergency to continue in service a President who had carried the Nation on, even if it be so for two elected terms.

Mr. ROBINSON of Arkansas. Washington had done that, had he not?

Mr. SHORTRIDGE. Of course, he had.

Mr. ROBINSON of Arkansas. And Washington decried against a third term.

Mr. SHORTRIDGE. He did not, Senator—pardon the emphasis. Washington never uttered one word against it.

Mr. ROBINSON of Arkansas. Does the Senator think the example of Washington tends to support the policy of third terms for Presidents?

Mr. SHORTRIDGE. The example of Washington is known to the world.

Mr. ROBINSON of Arkansas. Yes.

Mr. SHORTRIDGE. I will answer now—it is out of the order of my thought, but perhaps it is just as well to pause right here.

Mr. NEELY. Mr. President—

The PRESIDENT pro tempore. Does the Senator from California yield to the Senator from West Virginia?

Mr. SHORTRIDGE. Pardon me; I will yield presently. Let me first courteously reply to the Senator from Arkansas.

Mr. NEELY. I wish only to ask the Senator a question.

Mr. SHORTRIDGE. Well, what thought is bursting out? What is it?

Mr. NEELY. Is the Senator's belief coextensive with his implication that all Senators who support the La Follette resolution should be hurled from the Tarpeian Rock to political oblivion?

Mr. SHORTRIDGE. No; I hope the Senator from West Virginia will live in a Lucullan banquet room the rest of his life. But I wish to say here that I may move an amendment to this resolution providing that no Senator with a six-year term shall ever be elected for a third term. That is fraught with great danger. The power that is developed in the Senate—

Mr. GLASS. Mr. President, would it not greatly distress the Senator from California if the Senate should adopt his suggested amendment?

Mr. SHORTRIDGE. No. I am entering upon my second term, and I will trust to the whilgig of politics.

Mr. PITTMAN. Mr. President, will the Senator yield?

Mr. SHORTRIDGE. Yes, sir.

Mr. PITTMAN. There is one thought that occurs to me in view of the Senator's argument that the resolution has no proper place in the Senate.

Mr. SHORTRIDGE. It has not.

Mr. PITTMAN. The thought occurs to me that the resolution is necessary in defense of the candidates for the Presidency on the Republican side of the Senate. Does not the Senator believe that the only possible excuse for Republican Senators being candidates for the Presidency is the fact that they believe President Coolidge meant what he said?

Mr. SHORTRIDGE. My reply to my learned friend from the far West—

Mr. ROBINSON of Arkansas. Not so far west.

Mr. SHORTRIDGE. My reply is that I am not speaking of persons to-day, unless it be the great George Washington. I am not thinking of the present occupant of the White House; I am not thinking of any man; I am thinking of our form of government and the power of the people of this Republic to choose their officers, including their President. I am not thinking of any particular Democratic or Republican candidate for that high office, though they are as—

Thick as autumnal leaves that strow the brooks in Vallombrosa.

Mr. PITTMAN. I understand that the Senator is making a serious argument, and I think it is a serious question which is involved.

Mr. SHORTRIDGE. It is.

Mr. PITTMAN. But I do think it is unkind, not to say cruel, that the Senator should say to all the other Senators here, if there are any who are not candidates, that they shall be debarred from supporting the position taken by the candidates who are members of this body. I think that any Senator here has an absolute right to be a candidate for the Presidency, and I think that his sincerity should not be questioned, and



when we have Republican Senators daily announcing their candidacy we can not allow it to be considered by the country that their action is treasonable to their President. I think we should state as a Senate that we believe that the candidates who are now members of the Senate firmly believe that the President of the United States was sincere when he said he was not going to run.

Mr. SHORTRIDGE. Well, many are called but few are chosen. [Laughter.] I grant that every distinguished, learned, scholarly, and ambitious Member of the Senate has a constitutional right to run for the Presidency and may be eligible intellectually and otherwise. I am offering no bar to any Senator here who may desire to run for the office.

Mr. PITTMAN. I know; but I do not think the Senator meant to reflect upon the Senators who are candidates.

Mr. SHORTRIDGE. Oh, no; not at all.

Mr. PITTMAN. I did not want that idea to get out, when the Senator said that he was not thinking about the senatorial candidates. There are a great many people who are thinking of the senatorial candidates. It is possible that some of them will be nominated. As a matter of fact, there is no reason why some of them should not be nominated, in my opinion. As a matter of fact, there are none of them but that I should like to see nominated.

Mr. NEELY. Mr. President, will the Senator yield?

Mr. SHORTRIDGE. Well, time is running on and we have not eternity at our disposal.

Mr. NEELY. The Senator's quotation of one of Milton's classical and mellifluous expressions reminds me of a stanza of Byron's *Destruction of Sennacherib*, which is as follows:

Like the leaves of the forest when summer is green,  
That host with their banners at sunset were seen;  
Like the leaves of the forest when autumn hath blown,  
That host on the morrow lay wither'd and strown!

Does the Senator from California realize that all but one of the Republican candidates for the presidential nomination will inevitably be overtaken by a fate similar to that which overwhelmed the Assyrian host?

Mr. SHORTRIDGE. That is very beautiful; but the word "green" suggests to me this: I have a little touch of Irish in me, and I do not care what color you paint your barns down in West Virginia, provided it is green.

Mr. NEELY. Unless there is a change of administration, we shall not even be able to whitewash them.

Mr. SHORTRIDGE. Well, it will be a Republican Senator that will come back from West Virginia next time. Pardon me for saying that.

Mr. NEELY. In which improbable event the people of West Virginia would suffer a dire calamity.

Mr. SHORTRIDGE. Now, returning to my friend from Arkansas, let me quote what Washington said upon this immediate point of ineligibility to the presidential office, if that be a proper way to express it.

In a letter addressed to Lafayette in 1789 among other things he said what I shall read in a moment. May I pause to say Washington was discussing, in correspondence with Lafayette, our Constitution. Of course, we know the great love that existed between Lafayette and Washington—one of those beautiful affections, sexless love, ennobling love of man for man. He opened his heart to Lafayette—I hope that is a good phrase to use—and he said:

On the general merits of this proposed Constitution, I wrote to you some time ago my sentiments pretty freely. \* \* \* There are other points in which opinions would be more likely to vary. As for instance, on the ineligibility of the same person for President, after he should have served a certain course of years. Guarded so effectually as the proposed Constitution is, in respect to the choice of President, I confess I differ widely myself from Mr. Jefferson and you, as to the necessity or expediency of rotation in that appointment. The matter was fairly discussed in the convention—

Senators remember all that discussion, and it is not necessary to take up the time here to go back and quote from the debates in the Constitutional Convention. Washington sat there presiding; he listened to all those arguments, and he said:

The matter was fairly discussed in the convention, and to my full conviction, though I can not have time or room to sum up the argument in this letter, there can not, in my judgment, be the least danger that the President will by any practicable intrigue ever be able to continue himself one moment in office, much less perpetuate himself in it, but in the last stage of corrupted morals and political depravity; and even then, there is as much danger that any other species of domination would prevail. Though, when a people shall have become incapable of governing themselves, and fit for a master, it is of little consequence

from what quarter he comes. Under an extended view of this part of the subject, I can see no propriety in precluding ourselves from the services of any man, who in some great emergency, shall be deemed universally most capable of serving the public.

I hope that the heralds of the morning, or of the dusky evening, will quote that and let the people of the United States know, not what we say of George Washington, not what we think of him, but let the people know what George Washington said in his letter to Marquis de Lafayette in 1789. I have read it, and I hope it will be reread and pondered.

But, moreover, that is not the only time when George Washington spoke specifically on this very question of ineligibility, or the limiting of the term for a given man.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator yield?

Mr. SHORTRIDGE. Yes, Mr. President.

Mr. ROBINSON of Arkansas. Of course, we all know that there is no inhibition in the Constitution against a President who has served two terms succeeding himself. Is it the purpose of the Senator now to attempt to show that George Washington favored third terms for President, and is it his purpose to show that it is sound public policy?

Mr. SHORTRIDGE. I am not setting out to show that, Mr. President. I am setting out now to show, as I said, that George Washington never expressed himself in hostility to a third term if there was a great emergency which called for a given man.

Mr. ROBINSON of Arkansas. Nevertheless, Mr. President, when urged to become a candidate for a third term, when the Nation seemed to demand his services, when many great influences were being brought to bear upon him to make the sacrifice, he declined to do so, and his action in declining under those conditions forms the basis of a policy which has become well established in the conscience and judgment of the great majority of the American people, in my opinion, namely, that no Chief Executive should succeed himself after having served a second term. There is this consideration, too, which applies with some force to a second term, but not with equal force, namely, that a President who desires to do so can force his own renomination, for the simple reason that in nearly every convention that assembles a large number of the delegates consist of Federal officeholders, and a larger number, perhaps, consist of the relatives and friends of Federal officeholders; and within the last few years we have seen an illustration of a President seeking to be nominated for a second term, whose nomination was encompassed, when he was able to carry only two very small States. So that there is a power and an influence which accrues to one in a high office, particularly a high executive office, which enables that individual, if he chooses to exercise his power, to encompass his own preferment in spite of the will of the public.

Mr. SHORTRIDGE. Yes; and then the people have the final say; and I am standing with the people to-day.

Mr. ROBINSON of Arkansas. Just to-day? Is that the only time the Senator proposes to stand by the people?

Mr. SHORTRIDGE. To-day, and all my life; and I claim the right of Arkansas to elect her Senators, too, notwithstanding the vote of this body.

Mr. ROBINSON of Arkansas. That is a gratuitous contention. I did not know that anybody had contradicted it.

Mr. SHORTRIDGE. The Democratic Party in Baltimore, in convention assembled—the great, historic Democratic Party, representing 48 States, good men and patriotic men, who loved their country—adopted solemnly a platform one plank of which was against a second term. I shall read it here in a moment. They nominated a great American. He kept us out of war; but when 1916 came along, forgetting their platform, they renominated him; and the people of America elected him. I do not cite that as indicating inconsistency or abandonment of principle. If I cite it for any immediate purpose, it is to show that finally the choice of a President rests with the people of America.

Now, let me quote again what Washington said:

There can not in my judgment be the least danger that the President will by any practicable intrigue ever be able to continue himself one moment in office, much less perpetuate himself in it, but in the last stage of corrupted morals and political depravity.

Mr. President, I am not willing to admit, this day or any other day, that the American people have reached that depth of moral or political depravity. I believe that the people of this country—men and women—are devoted to the Constitution and will exercise a wise and discriminating judgment in the choice of a President.

Moreover, right on this point, in a letter to Bushrod Washington, dated November 10, 1786, Washington said—and he speaks so much better than I can that I read his words—

touching the safeguards in the Constitution against the perpetuation of power in one man or in a group of men:

*The power under the Constitution will always be in the people. It is intrusted for certain defined purposes and for a certain limited period to representatives of their own choosing, and whenever it is executed contrary to their interest or not agreeable to their wishes their servants can and undoubtedly will be recalled. It is agreed on all hands that no government can be well administered without powers; yet the instant these are delegated, although those who are intrusted with the administration are no more than the creatures of the people, act as it were but for a day, and are amenable for every false step they take, they are, from the moment they receive it, set down as tyrants; their natures, they would conceive from this, immediately changed, and that they can have no other disposition but to oppress. Of these things, in a Government constituted and guarded as ours is, I have no idea, and do firmly believe, that, whilst many ostensible reasons are assigned to prevent the adoption of it, the real ones are concealed behind the curtains, because they are not of a nature to appear in open day. I believe, further, supposing them fewer, that as great evils result from too great jealousy as from the want of it. We need look, I think, no further for proof of this than to the constitution of some, if not all, of these States. No man is a warmer advocate for proper restraints and wholesome checks in every department of government than I am, but I have never yet been able to discover the propriety of placing it absolutely out of the power of men to render essential services, because a possibility remains of their doing ill.*

A little later, in a letter written in 1788 to Lafayette, when the country was discussing the amending of the Articles of Confederation, Washington said, in assigning his reasons for the support of a constitution such as framed:

*These powers—as the appointment of all rulers will forever arise from, and at short-stated intervals recur to, the free suffrage of the people—are so distributed among the legislative, executive, and judicial branches, into which the General Government is arranged, that it can never be in danger of degenerating into a monarchy, an oligarchy, an aristocracy, or any other despotic or oppressive form, so long as there shall remain any virtue in the body of the people.*

So I set out to say—and I did say—that there is no known writing of Washington wherein he expresses the thought that there should be a limit as to the election or reelection of a President any more than that there should be a limit as to the election or reelection of a Senator or of a Member of the House or as to the election or reelection of a governor of one of our great and quasi-sovereign States.

His example we know, and we know the words of Jefferson, but I have here quoted the very words of Washington, in which he says that he wholly disagrees from Jefferson upon that proposition. As he repeatedly stated, Washington was willing to leave the subject matter of the choice of a President to the people of the Republic, and I shall be surprised if any industrious, scholarly Senator will be able to find any word in Washington's formal documents, in his letters, in his private diary, in which he expressed a thought different from what he said to Lafayette in 1789.

One word more on this remote historical period. We know that Washington did not wish to become President the first term; we know that. After presiding over the convention in Philadelphia, and then going forth with John Marshall and others and urging the adoption of the Constitution, he retired to Mount Vernon, in the hope that there he would enjoy the pleasures and the satisfaction of private life. I have his words here in respect to being called back into the public service for the first term, and after reading them, I will take the liberty of quoting from him as to what he said as to a third term, in a reply to Lafayette.

In 1789 George Washington said this, after the adoption of the Constitution by the several States:

*The choice of Senators, Representatives, and electors, which (excepting in that of the last description) took place at different times in the different States, has afforded abundant topics for domestic news since the beginning of autumn. \* \* \* I will content myself with only saying that the elections have been hitherto vastly more favorable than we could have expected, that Federal sentiments seem to be growing with uncommon rapidity, and that this increasing unanimity is not less indicative of the good disposition than the good sense of the Americans. Did it not savor so much of partiality for my countrymen, I might add that I can not help flattering myself that the new Congress, on account of the self-created respectability and various talents of its Members, will not be inferior to any assembly in the world. I most heartily wish the choice—*

I beg Senators to listen to this, for I hope to impress them with it—

*I most heartily wish the choice to which you allude [election to the Presidency] may not fall on me. \* \* \* If I should conceive myself in a manner constrained to accept, I call Heaven to witness that this very act would be the greatest sacrifice of my personal feelings and wishes that I ever have been called upon to make.*

*My movements to the chair of government will be accompanied by feelings not unlike those of a culprit who is going to the place of his execution. \* \* \* Integrity and firmness are all I can promise. These, be the voyage long or short, shall never forsake me, although I may be deserted by all men; for, of the consolations which are to be derived from these, under any circumstances, the world can not deprive me.*

*Heaven knows that no event [election to the Presidency] can be less desired by me, and that no earthly consideration short of so general call, together with a desire to reconcile contending parties as far as in me lies, could again bring me into public life.*

We know why he did not yield to the importunities of men to be elected after his second term. Later, in 1799, during the administration of John Adams, when there had grown up the Federalist and the Anti-Federalist Parties, and John Adams betrayed little ability to carry on successfully, if you please, there was then a movement, in 1799, about the close of this intervening term of Adams, to call Washington back into the Presidency for a third term, even as a great mass of Americans wanted to call Theodore Roosevelt back after an intervening term. We have here the words of Washington in regard to that matter, as to why he did not accept the call, and those of us familiar with that period well might blush when we recall the bitter, the ungenerous attacks that were made upon Washington. Indeed, it is said that if the smallpox had not broken out in Philadelphia during that period he could not have walked the streets without open insult. Yet we to-day bow in reverence before him and go down as pilgrims to Mount Vernon.

I repeat that in 1799, when John Adams's term was drawing to a close and the great Thomas Jefferson was, of course, fighting him and his party, overtures were made to Washington to become a candidate. He declined, but not because of any third-term prejudice; not at all. He declined because, he said—and his words are here—he could not serve better than the occupant of the office, that partisanship had so developed that he would be abused and traduced even as the occupant of the office was being abused and traduced, and that he could not bring himself to believe that he could serve any more capably. That he said in 1799. I read from his letter to Gov. Jonathan Trumbull, dated July 21, 1799:

*I come now, my dear sir, to pay particular attention to that part of your letter which respects myself—*

*That is, as to his running for a third term in 1799. He continues:*

*I remember well the conversation which you allude to, and have not forgot the answer I gave you. In my judgment it applies with as much force now as then; nay, more, because at that time the line between parties was not so clearly drawn and the views of the opposition so clearly developed as they are at present. Of course, allowing your observation (as it respects myself) to be founded, personal influence would be of no avail.*

*Let that party—*

*Now, I quote him without comment, but this is what Washington said. By "that party," of course Senators know to whom he referred—*

*Let that party set up a broomstick and call it a true son of liberty—a Democrat—or give it any other epithet that will suit their purpose, and it will command their votes in toto.*

*Will not the Federalists meet, or rather defend their cause, on the opposite ground? Surely they must, or they will discover a want of policy indicative of weakness and pregnant of mischief, which can not be admitted. Wherein, then, would lie the difference between the present gentleman in office and myself? \* \* \**

*It would be criminal, therefore, in me, although it would be the wish of my countrymen, and I could be elected, to accept an office under this conviction which another would discharge with more ability; and this, too, at a time when I am thoroughly convinced that I should not draw a single vote from the Anti-Federal side, and, of course, should stand upon no other ground than any other Federal character well supported; and, when I should become a mark for the shafts of envenomed malice and the basest calumny to fire at—when I should be charged not only with irresolution, but with concealed ambition, which waits only an occasion to blaze out—and, in short, with dotage and imbecility.*

So I turn from the Father of his Country by saying that there is not one word in his writings or in his political philosophy against the ineligibility of a citizen of the Republic who meets the requirements of the Constitution to the Presidency.



Mr. ROBINSON of Arkansas. Mr. President, will the Senator yield?

Mr. SHORTRIDGE. With pleasure.

Mr. ROBINSON of Arkansas. Of course, again I say there is no question of legal eligibility arising under the resolution; but I do not see how the Senator can quote the language last quoted from Washington in support of the policy of a third term for President.

Mr. SHORTRIDGE. I respectfully inquire of the Senate what is meant by "second term" in the resolution, or "third term" in the resolution? Does it mean successive terms—two, three successive terms? What is the meaning of "term"? I listened yesterday with respect to some thoughts as to what the word "term" means in the Constitution or what meaning was to be attributed to it in the resolution. "Term?" The Constitution fixes the term. When we speak of the term of a Senator it is six years. When we speak of the term of a President it is four years.

When a President dies—thank God none has ever been impeached—and there is a vacancy the Vice President, by force of the Constitution, performs the functions of the President. He continues the term, the remaining years or months of the fixed constitutional legal term of four years. He does not serve a term. Speaking as a lawyer, if I may presume to do so, he does not serve a term. There is but one term of four years. The President dies. The Vice President continues to perform his functions during the remainder of that time, but the Vice President, I have sometimes thought, does not become President. In such event, I have sometimes thought that the Vice President performs the duties of the President, even as the vice president of a company performs the duties of the president in the latter's absence.

But whatever the Constitution may say on that subject, or whatever the true interpretation of it may be, I stand here contending that the Vice President does not serve a term, but a part of a term remaining unfilled by the President. I therefore question the resolution unless it is made specific as to meaning successive terms.

That brings me to this thought thrown out a moment ago: In 1900 William McKinley and Theodore Roosevelt were elected President and Vice President. I take pride in recalling that I bore the returns from California to this body, having been presidential elector at large in that State in 1900. In the providence of God a great catastrophe came upon us in the death of William McKinley. Theodore Roosevelt became President. He served his country well, unafraid, undaunted, never afraid of enemy within or from without. He was a great American. Later he retired with honor from the presidential chair. Four years intervened. There were many millions of American citizens, north and south, east and west, who prayed and worked for the return of Roosevelt to the presidential chair. He failed of nomination and of election, and another great American, in the person of President Wilson, was elected in 1912 and reelected in 1916. But there were millions of people in America who wanted to see Roosevelt again President.

I would like to inquire of Senators, if Theodore Roosevelt had received the nomination and had been elected in 1912 or in 1916 or in 1920, would they have thought the Republic was in danger, and would these same gentlemen who followed his banner have stood here in the Senate or elsewhere opposing him and advancing the argument that he was endangering the Republic or violating some sacred tradition of the Republic?

Mr. HARRISON. Mr. President, may I ask the Senator a question?

The PRESIDING OFFICER (Mr. GEORGE in the chair). Does the Senator from California yield to the Senator from Mississippi?

Mr. SHORTRIDGE. Certainly.

Mr. HARRISON. The Senator, of course, in the campaign of 1912 took a very prominent part in his State, as he has done in the last quarter of a century or more. Did not the Senator in 1912 make speeches throughout California in behalf of Mr. Taft and against the reelection of Mr. Roosevelt on the theory that Mr. Roosevelt had already served two terms?

Mr. SHORTRIDGE. No. I opposed him then because I then was, always have been, and am a regular Republican.

Mr. HARRISON. And did not the Senator employ the argument which I have just called to his attention?

Mr. SHORTRIDGE. No.

Mr. HARRISON. Did not some of the speeches of the Senator in that campaign fairly scintillate with the idea that Mr. Roosevelt would be serving longer than Washington, Madison, and those other gentlemen, and therefore he should not be reelected?

Mr. SHORTRIDGE. I do not know what the newspapers may have said, but I know my firm views all my life.

Mr. HARRISON. Does the Senator deny that the papers of that time made such statements?

Mr. SHORTRIDGE. I do not know what they stated. I deny that any such statement was made unless it is brought to my attention. In that campaign there were three candidates—Woodrow Wilson, former President Roosevelt, and our regularly nominated candidate, William H. Taft. I supported President Taft upon the ground that he was the regularly nominated candidate of the Republican Party and worthy of election, and did not advance those arguments at all. I do not recall ever having discussed the third-term proposition. It may have been mentioned by others, but so far as political discussion was concerned I did not ground my opposition to Mr. Roosevelt at all upon that proposition.

I content myself with asking the question whether as of this day there is any danger confronting the public which would make it necessary for the Senate to indulge in this debate or in this discussion or in considering this resolution? Of course, I am subject to censure in doing so, I admit that; but the example having been set I have thought I would be excused for prolonging the discussion.

Mr. SIMMONS. Mr. President, may I ask the Senator a question?

Mr. SHORTRIDGE. Certainly.

Mr. SIMMONS. The Senator has taken up a great deal of time this morning in an effort to inform the country with reference to the views of Washington with regard to a third term for somebody else beside himself. Would the Senator, if he has the information before him, give the country the benefit of the reasons assigned by Mr. Roosevelt for his refusal to become a candidate for a third term? I think if the Senator would investigate that matter, if he has not already done so, he might find some enlightenment. If he has, I think it would be enlightening to the country to know what were the reasons of Mr. Roosevelt for declining to be a candidate to succeed himself after he had held the office, not for two whole terms, but for one whole term and a part of the term of his predecessor.

Mr. SHORTRIDGE. We ought not to be in doubt for the reasons President Roosevelt assigned, because he expressed them himself. He doubtless entertained those views at that time, but manifestly he did not hold to the view that after an intervening term he would be ineligible, or that to accept then the nomination and election would place him in the position of violating any tradition or imperiling the country.

Mr. SIMMONS. That is a very different question.

Mr. SHORTRIDGE. I am discussing this question.

Mr. SIMMONS. Yes; we are discussing the question of a third consecutive term, and not the question of whether a man who has held one term or two terms and then had somebody else as an intervening occupant of the Presidency can properly offer himself for reelection for another term.

Mr. SHORTRIDGE. A very learned Senator yesterday took that position, that it would be violative of the tradition.

Mr. SIMMONS. I am not taking any position about it.

Mr. SHORTRIDGE. No; it was not the Senator from North Carolina.

Mr. SIMMONS. What I am trying to get the Senator to do is to give us the reasons assigned by Mr. Roosevelt himself—

Mr. SHORTRIDGE. I can not quote him.

Mr. SIMMONS. The reasons why he did not run for a third term under conditions exactly similar to the conditions which obtain in the case of Mr. Coolidge.

Mr. SHORTRIDGE. I am not discussing Mr. Coolidge or Mr. Roosevelt or Mr. Anybody. I am discussing the question of the constitutional right of the people of the United States to exercise their choice and their judgment. President Roosevelt expressed himself as of a certain time, giving his reasons. I can not quote his exact words.

Mr. SIMMONS. But the Senator does not get the point of my question. The point of my question is that the Senator has taken up certainly half an hour, if not three-quarters of an hour, explaining why Washington was not a candidate for a third time, or explaining the reasons that Washington gave why somebody else might not be eligible to a third term. Is it not just as pertinent to give the reasons assigned by Mr. Roosevelt, who lived more than 100 years after Washington and when conditions were entirely different in the country? Why not give the reasons assigned by him why he did not run for a third term? That is the question I am putting to the Senator from California.

Mr. SHORTRIDGE. I have yielded for the Senator to state his question. The Senator knows that Mr. Roosevelt gave his reason. He advanced the suggestion that it would not be good policy, expressing himself in his own vigorous way. That is all he said. That was the sum and substance of it. He was

not a candidate and undoubtedly assisted in the nomination of Mr. Taft.

Mr. SIMMONS. What construction does the Senator place upon the meaning of Mr. Roosevelt's words when he said it would not be good policy—that it would not be wise or patriotic?

Mr. SHORTRIDGE. He did not say it would be unpatriotic.

Mr. SIMMONS. That it would infringe upon a well-established principle?

Mr. SHORTRIDGE. He may have said that.

Mr. SIMMONS. What did he mean when he said it would not be good policy?

Mr. SHORTRIDGE. Of course, he meant what he said. It was not ambiguous or unintelligible.

Mr. SIMMONS. What is the Senator's construction of what he meant? Did he mean that it would be unwise; that it would be violative of a well-established precedent that ought to be followed?

Mr. SHORTRIDGE. Unquestionably he said that. There is nothing uncertain about it.

Mr. SIMMONS. Exactly.

Mr. SHORTRIDGE. He gave his reasons for it.

Mr. SIMMONS. I know he did.

Mr. SHORTRIDGE. Certainly he did.

Mr. SIMMONS. I wanted the Senator from California to be as specific in speaking about the views of a great American, as he has described Mr. Roosevelt, who had been for two terms in the White House—

Mr. SHORTRIDGE. He had not been in the White House for two terms.

Mr. SIMMONS. Just like Mr. Coolidge, he had served a part of one term and one full term in the White House; and he thought that it would not be wise, that it would not be in conformity with good public policy for him to allow himself to be nominated for a third term.

Mr. SHORTRIDGE. Unquestionably he said that.

Mr. SIMMONS. Yes. Now, will the Senator from California pardon me a little further?

Mr. SHORTRIDGE. Will the Senator first pardon me? The Senator rather censured me for the time I have been taking up. Now, who has consumed most of my time?

Mr. SIMMONS. I did not mean to censure the Senator for the time he was taking up; I was not opposed to his taking a reasonable time to elaborate and discuss the case of Roosevelt as he had taken to discuss the case of Washington.

Mr. SHORTRIDGE. I have discussed the case of Washington because history has been misstated; I have discussed that case for a perfectly manifest purpose. I have no hesitation in incorporating in the Record here the very words of Roosevelt. I respect them; they are entitled to respectful pondering. The Senator from North Carolina may do so in my time if he wishes.

Mr. SIMMONS. But the Senator had passed the discussion of Roosevelt without mentioning the fact that he declined to be a candidate for a third term under conditions similar to those which now confront Mr. Coolidge.

Then I wish to ask the Senator another question. The Senator has elaborated upon the views of General Washington; he has read from his letters; he has insisted that Washington said there was no danger in a third term or in giving the President an indefinite lease of power. Does the Senator know that long since General Washington departed the great State from which he came, the State of Virginia, saw fit in its constitution to provide that its governor should not hold office for more than one term of four years?

Mr. SHORTRIDGE. I do not think that is wise at all.

Mr. SIMMONS. Does the Senator know that many other States of this Union, my own State of North Carolina being one of them, the State of South Carolina on one side of us being one of them, the State of Virginia on the other side being one of them, have each of them in their constitutions adopted in recent years provided that their governors shall not hold two consecutive terms?

Mr. SHORTRIDGE. I know that.

Mr. SIMMONS. Why? Because they feared the very thing that is in the public mind when opposition is expressed to a third term for a President of the United States at this time.

Mr. SHORTRIDGE. With great respect for Virginia and for the Senator's own great State of North Carolina, where my grandfather was born, I do not think it wise for the people of a great State thus to limit themselves. I remember that old Virginia elected and reelected and reelected Patrick Henry to a third term as Governor of Virginia. Did anybody think that the liberties of Virginia were imperiled when that great man was its governor for a third term? The only time, by the way, that Virginia ever turned against Patrick Henry was in the

convention at Richmond when the great influence of Washington, Marshall, and others, by a naked majority of only 10 votes, secured the ratification of the Federal Constitution.

Mr. SWANSON. Mr. President, if the Senator will permit me to interrupt him, at that time, if I recall aright, the term of the Governor of Virginia was one year, or perhaps two years.

Mr. SHORTRIDGE. That may be.

Mr. SWANSON. Afterwards, however, when the term was extended to four years, making it equal to the presidential term, the patriots of Virginia thought there ought to be a limitation on it.

Mr. SHORTRIDGE. It may be wise for them; I do not know.

Mr. SWANSON. I would like to ask the Senator another question. I recall during the last Roosevelt campaign that charges were made against him that in running again for the presidential office he had violated the doctrine against third termism he laid down on the night of his election. The newspapers were very voluble, as were many citizens, in criticism of him for running again. Did the Senator from California indulge in any such criticism of Roosevelt at that time, that in again running for the Presidency he had departed from the tradition to which he had announced his adherence the night after his election?

Mr. SHORTRIDGE. I do not recall having done so, but it is conceivable that I pointed out his inconsistency, he having announced that he was opposed to the third-term idea, as the Senator has done again and again. I may have pointed out—

Mr. SWANSON. Mr. President—

Mr. SHORTRIDGE. Pardon me for a moment and then I will yield further. I may have pointed out that he was violating his own public declarations, even as I pointed out that the Democratic candidate and the Democratic Party had violated the solemn declaration of the Democratic platform committing the party to the one-term idea when they sought to reelect President Wilson.

Mr. SWANSON. If the Senator will permit me, I should like to ask him another question. If I understand the discussion at that time, most Republican speakers whom I heard and debated with commended Roosevelt very highly for the letter written the night after his election upholding the tradition against third termism. Subsequently they criticized him severely for departing from it. Did the Senator indulge in any laudation of Roosevelt for having announced that doctrine and then did the Senator follow it up with criticism of Roosevelt for having departed from it, as most of the Republican speakers did at that time?

Mr. SHORTRIDGE. No; I never indulged in any such somersault upon that proposition.

Mr. SWANSON. The somersault is being turned now.

Mr. SHORTRIDGE. The somersault is not being turned by me.

Mr. SWANSON. The somersault has occurred about 20 years afterwards.

Mr. SHORTRIDGE. No. I know my own views, and while they may suffer change, nevertheless I hold fast to one proposition and take my stand with George Washington. If George Washington was wrong, then I am wrong. George Washington saw no danger in entrusting this matter to the people, and he said that if the people became debauched, lost in moral or political virtue, then it mattered little whence the master came, but he feared no man on horseback. While it is in my mind, let me remind Senators who inherit the doctrines of Jefferson—and some of them I inherit—that Thomas Jefferson said that the American people would have their hearts torn out of their breasts rather than surrender their liberty to a Napoleon or a Caesar. I am not afraid of any Napoleon; I am not afraid of any Caesar; I see no danger to the Republic from such a quarter; indeed I see no great danger to the Republic from within or from without. I have wasted the time of the Senate and my own to-day more than I should have done in discussing a danger which I think is purely an imaginary one. It is the eye of childhood that fears a painted devil. There is no danger to the Republic which the passage of this resolution will avert. I repeat again and again that I am not thinking of persons nor of the present administration—not at all. I would say the same thing if a Democrat were in the White House, even if he had served a part of a term and was serving his so-called second term. I am not speaking of persons, but of the form of government under which we have operated, and I deny that this resolution speaks the truth when it says that anyone who shall take a contrary view is unpatriotic. Yet if Senators will consider the language of the resolution, they will realize that it imputes lack of patriotism to those who shall vote against it.

I made no charge of treason against anyone. Individual Senators may vote as they think proper, but I wish to divorce



the question from all local partisanship or present political considerations. I wish to leave the matter of the election of their President to the American people, to the people of the 48 States. I wish to leave the people free, as the years may come and go in the future, to act as they shall think wise, to do exactly as George Washington said they might well do in some moment of great danger, some occasion of great exigency which would move them to continue in office their Chief Executive.

Mr. McKELLAR. Mr. President, will the Senator yield to me?

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Tennessee?

Mr. SHORTRIDGE. Yes, sir.

Mr. McKELLAR. Does not the Senator think there exists in this country a very strong and deep feeling upon the part of all patriotic citizens that it would not be a wise plan for any President to serve for a longer period of time than that served by the first President, George Washington?

Mr. SHORTRIDGE. Doubtless there are many who so think.

Mr. McKELLAR. Does not the Senator think, instead of there being many, that it is the underlying view of the people of America that General Washington, our great patriot President, and the first one, having voluntarily fixed two terms as proper for him, no other President should serve for a longer time?

Mr. SHORTRIDGE. That may well be.

Finally, Mr. President, this resolution is to the effect that to depart from this alleged tradition is "unwise, unpatriotic, and fraught with peril" to the Republic. I deny that. There is not a fact in history which warrants any such conclusion. Responding to the thought of the Senator from Tennessee, if it be desirable that the President shall be limited to two terms of four years, then let us submit an amendment to the Constitution and let the people of the United States pass upon that question. Such an amendment can be submitted to the legislatures of the different States or to conventions called in the several States; and let us propose such an amendment and provide that it shall be considered, ratified, or rejected by conventions called in each and all of the 48 States; and then we can ascertain whether the people of the United States want to bind themselves by such an amendment.

Therefore, I think it would be wise to refer this resolution to the Committee on the Judiciary; and that committee, perhaps sympathizing with the purpose of the resolution, might suggest and report a proposed amendment to the Constitution. If such a proposal came before this body, then, of course, it would be the legitimate subject of earnest consideration, for it would have to be passed by the requisite two-thirds of the Senate and two-thirds of the House to be submitted for ratification by the people, the legislatures, or conventions. But this resolution will not be a law, and, I repeat, it does not speak the truth.

I am not standing here beating my breast and claiming to be more patriotic than other Senators; but I have a reverent affection for our Constitution and our form of Government. I know what it has done for man and for woman, and I want it to live forever; and if it be desired that we of this generation shall amend it in the way suggested, be it so. The convention that met at Philadelphia discussed it—men who loved liberty, who had shed their blood for liberty discussed this question. Washington sat in the chair corresponding to the one now occupied by our Presiding Officer, listened to those arguments, and the wise men decided not to limit or bind the people of the United States in respect to this matter. If it be desired or be thought wise to depart from the conclusion reached by the fathers, let the people decide, and let them decide that grave matter in an authoritative way; and that way I have suggested. I have not lost faith in the people. Therefore I hope that Senators will agree to refer this resolution to the Committee on the Judiciary, with the view, if it be so, of submitting a proposed amendment to the Constitution of the United States.

I have broken my promise, Mr. President. I have detained the Senate too long. I have in no degree done any justice to the subject, and none to myself; but I leave the matter, trusting there will not linger in the mind of anyone a feeling or a thought that there is anything personal in anything I have said—nothing at all. In political campaigns we inveigh against our so-called political enemies, and doubtless I called attention to the 1912 one-term plank in the platform of the Democratic Party and commented upon their inconsistency. Doubtless I did. It may well be that I commented on the inconsistency of Theodore Roosevelt in doing that which he had spoken against. It may well be. I am not thinking of persons. I am thinking of great principles of government; and I am standing here, very

humbly, affording him no strength, beside the father of our country, who was willing to leave this matter to the wise judgment of his countrymen. There I am willing to leave it.

Mr. BINGHAM. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. GEORGE in the chair). The Secretary will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	Edwards	La Follette	Shortridge
Barkley	Ferris	McKellar	Simmons
Bingham	Fess	McMaster	Smith
Black	Fletcher	McNary	Smoot
Blaine	Frazier	Mayfield	Steck
Blease	George	Moses	Steiner
Borah	Gerry	Neely	Stephens
Bratton	Gillett	Norbeck	Swanson
Brookhart	Glass	Norris	Thomas
Broussard	Gooding	Nye	Trammell
Bruce	Gould	Oddie	Tydings
Capper	Harris	Overman	Tyson
Caraway	Harrison	Pine	Wagner
Copeland	Hawes	Pittman	Walsh, Mass.
Couzens	Hayden	Ransdell	Walsh, Mont.
Curtis	Heflin	Reed, Pa.	Warren
Cutting	Howell	Robinson, Ark.	Waterman
Dale	Johnson	Robinson, Ind.	Watson
Deneen	Jones	Sackett	Wheeler
Dill	Kendrick	Sheppard	Willis
Edge	King	Shipstead	

The PRESIDENT pro tempore. Eighty-three Senators having answered to their names, a quorum is present.

Mr. EDGE. Mr. President, the time of the Senate for a considerable portion of the last three or four days has been consumed in what appeals to me as purely a political gesture. I wish to assure the Senate that, following my usual custom, my remarks on the pending resolution will be very, very brief. I think I can assemble in a three-minute talk sufficient objection, at least so far as my viewpoint and conviction are concerned, to demonstrate that this resolution should not be agreed to.

Sponsors for the pending resolution frankly admit that it was introduced for the purpose of deterring the present President of the United States from being called to head his party for the second time, or, as they prefer to put it, to prevent him from being a candidate for a third term. The introduction of the resolution and its source was a clear indication that the strength of the President in the country is recognized and that he is greatly feared by his opponents.

Personally, I have no doubt that, whether the resolution shall be adopted or rejected, it will not have the slightest effect upon the determination of the present occupant of the White House.

With much regret I have accepted the statement of the President in not being a candidate to succeed himself as final and conclusive, and I am convinced that nothing could happen which would change his determination.

That the resolution to a great extent is meaningless is practically admitted by at least some of its sponsors or supporters. They frankly say that they would not support an amendment prohibiting a third term as a part of the Constitution. They further admit that they would prefer at times to leave to the people the decision in a situation such as, in the minds of some, perhaps now confronts us.

If the proponents of this resolution feel that the Constitution should not be amended in this particular, but that the people should be given an opportunity to decide, then why do they support the resolution; why, from their standpoint, is there a necessity for the resolution?

We have heard much to the effect that the people should rule, and we know that ultimately the people do rule. This resolution is met by some of its supporters with the statement that it should not be a part of our fundamental law. Then, I repeat, it becomes simply a political gesture.

In my judgment the time of the Senate can be much better spent in the consideration of some of the legislation which the country hopes we will consider, rather than spending three or four days, and perhaps hours yet to come, in simply voting yea or nay on a political gesture which, its supporters admit, should ultimately be decided by the people.

I do not believe the people need or seek our advice in this particular.

Mr. SHEPPARD. Mr. President, I make the point of no quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	Black	Borah	Broussard
Barkley	Blaine	Bratton	Bruce
Bingham	Blease	Brookhart	Capper

Caraway	Gooding	Neely	Smoot
Copeland	Gould	Norbeck	Steck
Couzens	Harris	Norris	Steiwer
Curtis	Harrison	Nye	Stephens
Cutting	Hawes	Oddie	Swanson
Dale	Hayden	Overman	Thomas
Deneen	Hedin	Pine	Trammell
Bill	Howell	Pittman	Tydings
Edge	Johnson	Ransdell	Tyson
Edwards	Jones	Reed, Pa.	Wagner
Ferris	Kendrick	Robinson, Ark.	Walsh, Mass.
Fess	King	Robinson, Ind.	Walsh, Mont.
Fletcher	La Follette	Sackett	Warren
Frazier	McKellar	Sheppard	Waterman
George	McMaster	Shipstead	Watson
Gerry	McNary	Shortridge	Wheeler
Gillett	Mayfield	Simmons	Willis
Glass	Moses	Smith	

The PRESIDENT pro tempore. Eighty-three Senators having answered to their names, there is a quorum present.

Mr. REED of Pennsylvania. Mr. President, I do not mean to take the time of the Senate for more than a moment or two to state my attitude on the pending resolution.

I am going to vote against the resolution, although I feel as I think the majority of the Senate feel, that in the ordinary case it is unwise for the people to elect the same man to more than two substantial terms in the Presidency. I put it in that way, because I mean that if a President has had a substantial term by succession to the elected President, in my judgment that is the equivalent, for all practical purposes, of an elective term.

I do not believe that, as a general rule, it would be wise to put this provision into the Constitution. I think we can all agree that it would have been to the infinite benefit of all of our people, in all probability, had President Lincoln served three full successive terms instead of one term and a few weeks. Had he been in office for eight years longer, most of the agony of reconstruction and the unwisdom of the reconstruction policies would, in all probability, have been avoided.

There may be exceptions, as I think there was an exception in that case. The people can be trusted to say whether the circumstances of a particular case justify a departure from this tradition. I do regard it as a tradition. I believe that most of the people of the United States regard it as a traditional policy of the people, and I hope that it will not be departed from except in emergencies or in remarkable cases.

As far as Mr. Coolidge is concerned, I do not believe that he has had two substantial terms as President of the United States. A term of one year and seven months by succession does not seem to me to constitute in substance a term as President of the United States. However that may be, the people are to say, not the Senate of the United States.

When we look at this resolution, and wonder what constitutional function the Senate would be exercising in adopting the resolution, we are met by nothing. If this were a constitutional amendment which the Senate were asked to propose, of course no one could question our authority to pass the resolution, but its proponents do not offer it as a constitutional amendment which we have authority to adopt. It is not legislation which we have authority to originate. It bears no relation to our powers over appointments or over treaties. There is nothing in the powers of the Senate which authorizes us to give advice on such matters, either to the President or to the people.

Our authority in this matter is exactly the same as that of the members of any old ladies' sewing society which adopts a resolution on the subject. We have 96 votes in our separate States as voters. So presumably have 96 old ladies in a sewing society. The advice which the Senate now undertakes to offer to the President and to the country carries not the sanction of the Senate as a constitutionally organized deliberative and legislative body, but of 96 individuals who happen for the moment to sit here in this Chamber.

Mr. EDGE. Ninety-four.

Mr. REED of Pennsylvania. The Senator corrects me. We are reduced to 94 because of our judgment that the people in two of our States are incapable of deciding for themselves whom they will have as Senators. This is but a repetition of that action of the Senate. We are now advising the people of the United States that because of their imbecility we will tell them whom to elect, how many times to elect him, how they shall gauge his eligibility and desirability for election. The Senate has taken upon itself the power of a board of directors in a large number of matters in which neither the Constitution nor the people who elected us intended us to function as their advisers. It means to some of us that we are usurping a power and giving advice for which the people of the country will not thank us, that we are giving advice which they neither need nor desire, and that we are giving

advice to which neither they nor the President will pay the slightest attention.

Therefore, although I am in full sympathy, as I have said, with the tradition of the American people that, barring emergencies, it is sufficient to have one man in office for eight years as President, I do not believe that I can vote for the pending resolution.

Mr. BORAH. Mr. President, there is only one feature of this subject to which I wish to recur for a brief moment. I think I have stated the view which I entertain with reference to the general proposition, and that is that under all ordinary circumstances the principle of the anti-third-term policy ought to prevail in our national affairs.

Last summer, when our President was at his summer home in South Dakota, he made a statement to the effect that he did not choose to be a candidate in 1928. I regarded that statement as conclusive against his candidacy at the time it was made, and so stated in the public press. At the time the President made the statement there was little or no doubt in the mind of anyone but that he would be renominated in case he chose to be a candidate.

I doubt very much if there would have been any opposition to him in the convention. He could not have made the statement for any other reason in the world than his desire not to be a candidate. Those who know the President know that he would not speak in idle fashion concerning a matter of that character. There could have been no possible reason from political strategy for him to have made the statement, even assuming he would heed political strategy. The situation was well within his control. In fact, to have remained silent was to have assured his renomination. I say I regard it as taking him out of the race.

Later the President made another statement which seemed to amplify his former statement, although in my judgment he added very little to it. He said:

This is naturally the time to be planning for the future. The party will soon place in nomination its candidate to succeed me. To give time for mature deliberation I stated to the country on August 2 that I did not choose to run for President in 1928. My statement stands. No one should be allowed to suppose that I have modified it. My decision will be respected. After I had been eliminated the party began, and should vigorously continue, the serious task of selecting another candidate from among the number of distinguished men available.

Taking the two statements together, I regard our considering this resolution is at a time when no one as a candidate is proposing to violate the tradition which has obtained in this country practically since its organization. I am casting a vote at a time when, in my judgment, there is no possibility of the present incumbent being a candidate for reelection. He has settled that question himself, voluntarily and definitely settled it. As he said in his statement, "My decision will be respected." We know precisely what that means. He is completely out of the race. I do not, therefore, regard a vote here as having anything to do whatever with the President of the United States or his possible candidacy. I venture to say that he will control that as completely as it could be controlled even if we had the power to pass a law in regard to it.

I am called upon, therefore, to vote my mere personal views with reference to this tradition, and that personal view is that under all ordinary circumstances the tradition ought to prevail.

I would not write it into the Constitution. I would leave it where it is. But, generally speaking, I believe it a wise tradition. If I had been writing the resolution before us, I should not have expressed it as strongly as did the Senator who wrote it, because, while I regard it as sound, I can very well understand how conditions might arise in which it would be wise and patriotic to disregard the tradition.

But in view of the fact that the present situation is such that one may express his individual view at a time when it embarrasses no candidate and does not embarrass any individual who is to be a candidate, and when he may express simply his view as to a policy which has heretofore obtained, I expect to vote for the resolution.

Mr. BINGHAM. Mr. President, will the Senator yield for a question?

Mr. BORAH. Certainly.

Mr. BINGHAM. Does the Senator from Idaho really think that the second part of the resolution does not relate to the present circumstances and does not cast a certain amount of reflection on the question of whether the President may or may not run again?

Mr. BORAH. As I understand the second part of the resolution, the author of the resolution has interpreted the President's attitude as acquiescing in the tradition relating to a



third term. It may be and probably is true that the President did not have in mind a third term when he retired, but nevertheless it was construed throughout the country and by the press and by individuals very generally as having entered into the thoughts of the President at the time he retired. I do not know of anyone who knows, and I doubt if anyone does know or ever will know, just what thoughts were in the mind of the President when he retired; yet the fact that he did retire, the fact that the third-term principle was under discussion when he did retire or that it was being discussed throughout the country in the press and by individuals naturally led to the general supposition that it entered into his mind at the time he retired from the candidacy.

I should like to feel that it did enter into the mind of the President, that it was a part and parcel of the things which made up his final judgment in regard to the matter. I should like to feel that a President who had the nomination in his grasp, absolutely under his control, who in all probability would have been reelected, stepped aside in deference to this tradition. I believe in strengthening the tradition and making exceptions to it only under those extraordinary circumstances which may in a measure amount to a national crisis.

Mr. BINGHAM. Mr. President, will the Senator yield again?

Mr. BORAH. Certainly.

Mr. BINGHAM. Does the Senator think, then, if he votes for the second part of the resolution that he is commending the President for something which he is about to do?

Mr. BORAH. I am perfectly satisfied that in voting for the second part of the resolution I am in no way censuring nor in any way embarrassing the President of the United States. If it has any effect, it is complimentary to the action which he took. There is no more chance of the President being a candidate in the face of his two statements than if there were a constitutional inhibition against his being a candidate. We all know who know the President that no convention is going to pull him away from those declarations. He said, "My decision will be respected," and so it will. I do not regard, therefore, the present President as being in the slightest embarrassed by the resolution. If the convention should arise as one man and renominate him, I do not regard that the resolution would be at all hurtful to the President accepting the proposition. He would be guided by his own statements and by his sense of duty and patriotism.

Mr. REED of Pennsylvania. Mr. President, will the Senator yield for a question?

Mr. BORAH. Certainly.

Mr. REED of Pennsylvania. Then the Senator does not agree with the proponent of the resolution, who, as I understood him, described his reason for introducing the resolution as being a desire to offset the possibility of the President being drafted for another term?

Mr. BORAH. The author of the resolution undoubtedly had in mind a number of politicians in the United States who are taking shelter under the President's wing until they find a secure place to go. [Laughter.]

Mr. CARAWAY. Mr. President, may I ask the Senator a question?

Mr. BORAH. Certainly.

Mr. CARAWAY. Does it seem to the Senator that those who are opposing the resolution as reflecting upon the President are themselves expressing a doubt as to the sincerity of the President when he said he would not be a candidate?

Mr. BORAH. I would not want to say that, but I have thought that those who have insisted and who have persistently given to the press statements that the President would be renominated and would accept, did in a measure challenge the intellectual integrity of the President.

Mr. CARAWAY. Then those Senators who now say the resolution will embarrass the President certainly did not quite take seriously the President's statement that he is not a candidate?

Mr. BORAH. I do not understand that they are contending that this would embarrass the President.

Mr. CARAWAY. No; they are not contending that, but that is what they say.

Mr. BORAH. As I understood the Senator from Pennsylvania to say, neither the President nor the convention will pay the slightest attention to it.

Mr. CARAWAY. Then it does not embarrass the President.

Mr. REED of Pennsylvania. Mr. President, if the Senator from Idaho will yield to me at that point, I did not say that this would embarrass the President. I do not know whether it would embarrass the President or not. The point I make is that it ought to embarrass the Senate to offer a lot of unsolicited advice in a matter that is not any of its business.

Mr. CARAWAY. Oh, the Senator is always so solicitous about the good reputation of the Senate. He is so anxious to have it stand well that he wants to have Smith and Vane here to raise the general average. I ask the Senator from Idaho if he heard the statements of the Senator from New Jersey [Mr. EDGE] and the Senator from Ohio [Mr. FESS] and the Senator from Connecticut [Mr. BINGHAM], who thought this was a cheap way to embarrass the President?

Mr. BORAH. I think with all due respect, and with great personal respect for my friend from Wisconsin [Mr. LA FOLLETTE], who introduced the resolution, that by reason of his attitude on some other matters relative to the President the resolution has been a little misconstrued.

Mr. CARAWAY. I do not think it has been misconstrued.

Mr. BORAH. I think it has been. I think that if this resolution had been introduced by my friend from Connecticut [Mr. BINGHAM] or any other leader here upon the Republican side it would have been construed as a commendation of the President in standing with Washington, and Jefferson, and Madison, and Monroe in favor of recognizing the tradition which has been established in this country.

Mr. REED of Pennsylvania. Does the Senator think that this resolution is intended to be complimentary to the President?

Mr. BORAH. I do not know what was in the mind of the Senator from Wisconsin, but I have no doubt, from my standpoint, that it is complimentary.

Mr. REED of Pennsylvania. If it is intended to be complimentary to the President and is supported by Senators who call themselves "progressives," and by all of the Democrats in the Chamber, then to-day ought to go down as a red-letter day, ought it not?

Mr. BORAH. So far as the Democrats are concerned, they would be strikingly inconsistent if they did not vote for this resolution. It is a Democratic doctrine; it originated with Thomas Jefferson; it has been one of the cardinal principles of the Democratic Party from its organization to this time; and I can not conceive of a Democrat voting against the resolution if he believes in the principle which is one of the cardinal principles of the Democratic Party.

Mr. BLEASE. Mr. NORBECK, and Mr. WATSON addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Idaho yield; and if so, to whom?

Mr. BORAH. I yield first to my friend from South Carolina.

Mr. BLEASE. I just want to thank my candidate for President for his high compliment by saying that I am going to vote against this resolution.

Mr. BORAH. The Senator from South Carolina is very independent of individuals and political parties.

Mr. NORBECK. Mr. President, speaking of the Democratic attitude toward a third presidential term, does the Senator from Idaho think if the Democrats vote for the resolution they will pay any more attention to it than they did when in the Baltimore platform they declared for a single term for President?

Mr. BORAH. I am not the keeper of the Democratic conscience, but I regard this as having been one of the cardinal principles of the Democratic Party for the last hundred years.

Mr. REED of Pennsylvania. Does that go along with State rights?

Mr. BORAH. Yes; it is one of the matters that go along with State rights.

Mr. WATSON rose.

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Indiana?

Mr. BORAH. I shall do so in a moment. But this, Mr. President, has come to be also largely a Republican principle. While I am of the opinion that it originated with Jefferson and was confirmed by Madison, Monroe, and Jackson, when we came down to the time of Grant and to the great fight of 1912, the great Republican leaders, those who had control of the party and who finally made the nomination, were fighting the third term, and at that time it was regarded as a sound Republican principle by many of our leaders.

Now I yield to the Senator from Indiana.

Mr. WATSON. Mr. President, the Senator from Idaho has said in the course of his remarks that there might come such an emergent condition that the nomination and even the election of a President for a third term would be wise and patriotic. Does the Senator from Idaho assume that attitude?

Mr. BORAH. I do.

Mr. WATSON. Does the Senator think that if this resolution were carried into effect it would preclude the nomination and election of a President under those conditions?

Mr. BORAH. Not at all. Leaving out the old ladies' sewing society, to which my friend from Pennsylvania compared the

Senate, I regard this as nothing more than the expression of the individual views of the Senators here upon this subject, the same as if I were called upon to give an interview or to write an article or to express myself in a public place. It would be my individual view concerning this matter. As to the Senate putting behind it the sanction, authority, and power of the Senate as a constitutional body to bind anybody by its action, of course, it does not exist; but that is not a prerequisite always to the action of the Senate. We have adopted resolutions time and time again with reference to matters which were wholly political. They come here, some Senator introduces them, a Senator is placed in the position where he must record his vote, and he does it as an individual or, rather, as a matter of fact, as a citizen.

Mr. LA FOLLETTE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Wisconsin?

Mr. BORAH. I do.

Mr. LA FOLLETTE. I desire to call to the Senator's recollection the resolution which was adopted on the 31st day of January, 1924, being Senate Resolution 134, submitted by the Senator from Arkansas [Mr. ROBINSON], which declared:

*Resolved*, That it is the sense of the Senate that the President should ask for the resignation of the Secretary of the Navy, Charles Denby.

Mr. President, the same argument advanced by the Senator from Pennsylvania [Mr. REED], that the Senate had no constitutional authority to act in that case, was advanced and has been advanced against resolutions of this character, but I submit that anyone who is familiar with that situation would not say that the action of the Senate did not bring about the resignation of Mr. Denby from the Cabinet.

Mr. REED of Pennsylvania. Yes, Mr. President; I think it did, and I think it was one of the greatest injustices in the recent history of the Senate; but, if I may ask the Senator from Idaho a question, I think we are all agreed, and, so far as I know, Mr. Coolidge is agreed, that the policy that the resolution pretends to declare is a sound policy. There is no difference among us as to the desirability of adhering to the tradition.

Now, if I may give a parallel case without attempting to be ridiculous, we all believe in the observance of the Ten Commandments, and so does Mr. Coolidge, but it appears to me there would be something offensive and rather impertinent if we were to pass a resolution commending to him the observance of the Ten Commandments. So it is here. This is one of the commandments of the political life of America. Presumably he has it at heart as much as we have. We are all agreed on the principle. Is there not something impertinent in our recommending to the President the observance of this political tenet, which, so far as we know, he shares with us?

Mr. BORAH. Mr. President, I can not conceive of our recommending in this resolution anything to the President. The President has eliminated himself from the candidacy for President; he is out of the race.

Mr. SMOOT. Then why the resolution?

Mr. BORAH. My friend from Utah asks, Why the resolution? Notwithstanding the fact there are people in the country who are constantly debating this question. It is still being discussed in the press; politicians who are anxious in regard to the nomination are insisting upon it; and that, I presume, is why it is here. It has been a matter of public discussion and is still a matter of public discussion, and the Senate, while it can not bind by its action, certainly is not precluded from having a conviction or a view upon a matter of great political importance.

Mr. REED of Pennsylvania. Not in the least; but in the second paragraph of this resolution we commend the observance of this tradition by the President. That is advice; that is not commendation of the President. We do not commend the President; we commend the observance on his part. That is advice to him to observe it, as I read the resolution.

Mr. BORAH. My understanding of that portion of the resolution is that the Senator from Wisconsin construes the President's action to be in harmony with the tradition.

Mr. SHORTRIDGE and Mr. BLAINE addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Idaho yield; and if so, to whom?

Mr. BORAH. I yield first to the Senator from California.

Mr. SHORTRIDGE. I understand the Senator from Idaho to agree with Washington when he says that—

Under an extended view of this part of the subject, I can see no propriety in precluding ourselves from the services of any man who on some great emergency shall be deemed universally most capable of serving the public.

Of course, I agree with that. If that be so, I ask the Senator and the Senate to observe the language of this resolution, if I may address myself directly to the Senator—

Mr. GLASS. Mr. President, may I inquire exactly what secret information the Senator from California is imparting to the Senator from Idaho?

Mr. SHORTRIDGE. If the Senator from Virginia will give heed, I think he will understand me. I am not obliged to reply, but I do reply respectfully. I say I assume that the Senator from Idaho agrees with Washington?

Mr. GLASS. Oh, we all agree with Washington.

Mr. SHORTRIDGE. Very well; then I hope you will vote accordingly. But I wish to say to the Senator, who is so courteous, that if that be so, if there be emergencies of the character suggested, why, then, does the Senator propose to say that I am unpatriotic if I vote against this resolution?

Mr. BORAH. I do not say that.

Mr. SHORTRIDGE. There may be emergencies—

Mr. GLASS. On the contrary, the Senator from California is the only Senator who has imputed unpatriotic motives to all of his colleagues here who propose to vote for the resolution.

Mr. SHORTRIDGE. On the contrary, I made no such imputation; none whatever. I am quoting Washington.

Mr. CARAWAY. Then we are all patriots.

Mr. SHORTRIDGE. And Washington insists that certain exigencies may arise when it would be proper, in his judgment, that a President should serve a third term. The form of this resolution is such that it would be said that those of us who voted against it are unpatriotic.

Mr. BORAH. I do not so construe it; neither do I construe it as having anything whatever to do with the future action of the President of the United States. If he had not made the statements which he did make, if he had not eliminated himself from candidacy for the Presidency, the Senator's argument would be unanswerable; we would be attempting here to control the President's action and in some way embarrass him; but he is as completely out of the race as are some of the many candidates who are running. [Laughter.]

Mr. BLAINE. Mr. President, will the Senator yield for a question?

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Wisconsin?

Mr. BORAH. I yield.

Mr. BLAINE. The Senator has suggested that the adoption of this resolution would only mean an expression of the individual opinion of the individual Members of the Senate. Does it not go further and beyond being a mere expression of opinion?

The anti-third-term policy is traditional. It has its force not by some constitutional or legislative enactment, but it has grown out of circumstances. First the declaration of Washington, then a specific declaration of Jefferson, then declarations of Madison and Monroe or whosoever the Presidents were who repeated it, revived and kept alive that tradition.

Now we come down to a later period. As I understand, this tradition can only be perpetuated by acts in conformity with the original suggestion that initiated the tradition or by repetition of the expressions that involve the principle in respect to that tradition. Therefore, in order to strengthen the tradition and in order to keep it alive and in order to perpetuate it, had the President in his statement last summer absolutely declined under any circumstances to accept the nomination or reelection to the office of the Presidency, by that act, by those words he would have added or aided in the perpetuation of this tradition. Therefore, if this resolution shall be adopted will it not be an act of far more importance than the mere expression of individual opinion? Will it not rather be an expression of the opinion of a legislative body that gives it such force as to perpetuate it and hand it on to future generations as a policy of this Government as expressed by those who have public and official responsibility and certain duties with respect not only to our Constitution, but as well with respect to the traditions that have been started for us by those who founded this Republic? Will not that be the effect of the adoption of this resolution?

Mr. BORAH. Mr. President, I am unable to give to the resolution the strength and importance which the Senator from Wisconsin seems to give to it. I am unable to do that for the reason that this is not one of the functions of the Senate. It is not one of the duties imposed upon us by the Constitution or by the authority granted to us under the Constitution.

In so far as the Senate has prestige in the country, in so far as its Members are regarded as representing the public thought of the country, thus expressing their public views upon this



particular matter, it has influence in the country. It strengthens in that respect the tradition, and in my judgment only in that respect. But so far as I am individually concerned, as I say, I regard it simply as expressing my individual views upon this matter, since it is brought to me in the way it is in the Senate. It may have more strength and more prestige, more influence upon public opinion, by reason of its happening here than if 96 of us should meet outside, not as Members, and pass our judgment. There may be something connected with the Senate which the public does not disassociate from our individual acts which will give it more prominence and more prestige; but, nevertheless, so far as I am concerned it is expressive simply of my individual views as a citizen.

Mr. President, I said a moment ago that in 1912 this matter was up for consideration, and it was a very vital matter with the Republicans of the country. It was discussed at length in the Senate and in the country. The Republican leaders at that time thought that the action of Colonel Roosevelt was in violation of the tradition established early in the history of our country. Some of us took the view then, as we do now, that it was a matter for the people to decide. If the people thought an exigency had arisen which justified departure from the tradition, it must be left to the judgment and conscience of the people to determine it, and nowhere else.

I stated at the time in the debate here, as I state now, that while upon all ordinary occasions we should observe the tradition, I was willing to leave it ultimately where it belonged, to the judgment of the people, and not incorporate it in the Constitution of the United States. That is precisely where I would leave it now; and in expressing my views to-day I express them as one of the people interested in this tradition, and believing in it under all ordinary circumstances, and in no other wise.

Mr. BLEASE. Mr. President, if things continue as they are going, I think it will be well for the Senate to change its name from the "United States Senate" to "United States Super-grand Jury" and "Special Advisors of the People," and turn ourselves into investigators of other people's business and advisors to the people who created us.

I am opposed to resolutions which certainly are not law and have no legal effect. This resolution was first introduced when Mr. Coolidge was spoken of for a third term and the sentiment was very strong. It was allowed to die and stay dormant until again the third-term talk was commenced and then revived. It therefore seems to me, Mr. President, as it does to a great many others, who have so stated to me, that the resolution was introduced for the purpose of slapping Mr. Coolidge in the face, and endeavoring to create a sentiment over the country against his renomination.

Therefore I think it very unfortunate, to say the least, whatever may be the opinion of the Senate as to the third term, that the resolution should be considered just at this time.

Why not let us wait until after the next Republican National Convention and then pass it if we wish? It seems to me that that would be the wiser course to pursue.

The Springer resolution has been brought into the controversy. Everyone knows that that resolution was introduced as a direct slap in the face of President Grant and his Cabinet. When the question was asked yesterday it was distinctly stated that "that resolution prevented Mr. Grant's renomination"; and I came to the conclusion from that reply and from the source from which it came that this resolution was prompted by the Springer resolution and introduced for the same purpose, substituting Coolidge for Grant.

Certainly this resolution does not refer to George Washington, Ulysses S. Grant, or Theodore Roosevelt, who have been referred to in this debate. Then to whom does it refer? Of course, to Calvin Coolidge.

I was somewhat amused at some of the Democrats who seem to be voting for this resolution, especially when it was admitted that no man, not even Calvin Coolidge, "would ever be reelected to a third term." If we Democrats think that, then why not allow him to be nominated, so that we can defeat him? It seems to me that this is a case of whistling in the dark to keep up your courage.

Mr. President, my position is that we should let the people alone and let the people rule. If the people of the United States wish to elect a man for a third term, they have the constitutional right to do so; and the Senate, as their servants, have no right to attempt to prevent them from doing so.

Some Senators who now seem so very anxious to follow the example set by Washington and Jefferson must have recently changed their opinions of the example and advice of these two Presidents. When the League of Nations question was before the Senate, and when the World Court question was before the Senate, and when the question was before the Senate of

depriving two States of the American Union of their representation upon the floor of the Senate, which is distinctly and positively prohibited by the Constitution, they seem to have had very little regard for what Washington or Jefferson had to say; and there have been other matters of national importance in which the advice of Washington and Jefferson has been totally ignored.

For instance, those gentlemen advocated and fixed as the policy of this country that each State should be entitled to two United States Senators, and that they should not be deprived of their representation in this body. However, when the roll is called each day, we find two of these States absolutely deprived of the representation advised and advocated by Washington and Jefferson. I can not see why their advice should be any more taken on this resolution than in those more important matters, and I think about this as I do those: Let the people speak as to who shall be their representatives, and when they shall have spoken let their will be respected.

I think we would be in a better position if we would listen to the people more and try to carry out their wishes, instead of trying to dictate to them what their wishes should be.

I am for the people first, last, and all the time, and letting them alone. They are the superior power; and whatever may be their wish, I always attempt to submit to. Therefore I shall vote against this resolution and allow the people to decide this question, and not a few partisans on either side of this Chamber, who, whatever may be their idea in the matter, I can assure them are being accused of passing this resolution for the sole political purpose of endeavoring to thwart the nomination of Mr. Coolidge.

Mr. President, on page 2618 of the CONGRESSIONAL RECORD of February 7 this appears:

Mr. LA FOLLETTE. The reason why I referred to the Springer resolution was because the Senator from Ohio a moment ago made the suggestion that the adoption of the pending resolution would have no effect. There are historians—although they may not, in the opinion of the Senator from Ohio, be as able or as well informed as he—who maintain that the passage of the Springer resolution was the very thing which put the quietus upon the Grant boom.

On page 2626 of the same date the following appears:

Mr. ROBINSON of Arkansas. Mr. President, will the Senator from Nebraska yield to me to ask the Senator from Connecticut a question?

Mr. NORRIS. I yield.

Mr. LA FOLLETTE. Mr. President, will not the Senator permit me to give some figures with regard to New England?

Mr. ROBINSON of Arkansas. Certainly.

Then ensued a controversy between the Senators from Connecticut, Nebraska, Wisconsin, and Arkansas; and the Senator from Wisconsin finally said:

Mr. LA FOLLETTE. Yes, Mr. President; that is the exact language of the resolution.

Mr. NORRIS. A copy of it.

Mr. LA FOLLETTE. Yes.

I submit, Mr. President, that with that statement in the RECORD, and with the debate that has gone on upon this matter, there can be but one honest construction put upon this resolution. That honest construction is that it is feared by some people that the present occupant of the White House might be, as some people say, drafted for the Presidency; and this resolution, as said by the Senator from Wisconsin [Mr. LA FOLLETTE], following the Grant resolution, and the Grant resolution having put a quietus upon the boom of Mr. Grant, that this resolution is intended for no other purpose except to put a quietus upon the renomination of Mr. Coolidge.

I am no apologist for Calvin Coolidge. He does not expect any defense at my hands; but I am responsible for my own conduct, and I feel that if I were to sit here and allow this resolution to go through without protest I would be untrue to my people—I mean, the American people. I do not mean the people of South Carolina alone, because they take no part in the nomination of a Republican candidate, except about six or eight negroes, and they will vote whichever way they get the most money for voting. I am speaking of the great people of this Nation. I say that we have not the right to pass this resolution. We may do it through might making right. There are thieves in the night, and there are thieves by might; and we, too, by might, can pass this resolution; but when we do it we are stepping beyond the pale of our duties as Senators, as I see it.

Why should we attempt to say to the American people that they shall or shall not do certain things?

That is my position, Mr. President.

The Senator from Wisconsin stated that the Springer resolution put the quietus upon the Grant boom. While I have a high regard for the opinion of every Senator here, I believe that this resolution was intended to do the same thing for Mr. Coolidge; and instead of hurting him, if you do not look out, you will be creating sentiment in the opposite direction.

You turned a man out of the Senate not long ago. You refused to let him in here. If you had let him be sworn in, tried him, and turned him out for conduct unbecoming a gentleman, he would have gone back to Illinois possibly in disgrace and never been heard of any more. As it is, you kept him out, and you have made a hero out of him. He has been reappointed. You will have to act on that. The people will resent your action. They will reelect him on the 10th of April, and he will come back here again, and you will have him for the third time knocking at your doors; while, if you had let him in and then kicked him out, as you should have done, and as I wanted to help you do, you would have been rid of him.

I believe firmly that if this resolution is passed by the Senate the American people will resent it; and, as I said a while ago, if we Democrats over here believe that nobody can be elected for a third time, why not let the Republicans go ahead and nominate Mr. Coolidge, and give us the chance to beat him?

Just one other thing, Mr. President.

Some people have a good deal to say about Mr. Washington. When Mr. Washington was President of the United States there were 3,929,214 people in this country. When Mr. Grant was President of the United States there were 38,558,371 people in this country. When Mr. Coolidge took the oath of office as President of the United States five years ago there were 111,693,030 people in this country, with a strong probability that to-day there are between 120,000,000 and 125,000,000 people in this country.

Mr. President, with all due respect to President Washington, I have no doubt that if he had been down at his home in Mount Vernon and had seen an airship coming across while he was President, he might have ordered out the entire American Army and Navy to find out what that thing was. I have no doubt that if Mr. Jefferson had been coming up to Washington in his buggy he might have shot at a man passing in an automobile. What may have been done by the 3,000,000 people of that day and time, in the conditions and circumstances surrounding them, is no precedent for us to-day, with possibly 120,000,000 people facing modern conditions.

Mr. President, I did not care to make any speech on this question; I merely wanted to put in the RECORD my views on the matter and to state why I expect to vote as I shall vote.

Mr. President, I think the only chance the Democrats have to win is to combine the South and the West. I heard some Democratic Senators say a while ago that they did not think it made much difference who was nominated on either side, that they did not think the Democrats had a chance. I think we are putting ourselves further from the chance when we take up four or five days in the Senate discussing a resolution that can not be made into law, that can not bind anybody, that would not affect anybody. The 120,000,000 people of this country can say, "Yes; 40 or 50 Senators voted that a man should not have a third term, but we have a right to say, and to also say whether those Senators shall have a second term or not."

I think it is unfortunate that this resolution was brought into the Senate. I think it will be unfortunate for the Senate to pass it. I would not be at all surprised, if the Senate should pass the resolution, that they would find in the country a resentment for slapping in the face a man who has no opportunity to reply. I have always had a contempt for a preacher who would get up in the pulpit and abuse somebody because he knew there could be no reply to him. I always had a contempt for a lawyer who would get up in the courthouse and take advantage of a witness and abuse him because he knew he had a judge and a lot of bailiffs to keep the witness from jumping up and beating the devil out of him. I believe in standing face to face with a man.

I believe the Republicans and the Progressives should go to their conventions and that the Democrats should go to their convention, and that we should there fight out our party questions. But when it comes to legislating for the great American people in this body we should be one and act for all the people of this country, regardless of factions or parties.

Mr. HARRISON obtained the floor.

Mr. CURTIS. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Mississippi yield to the Senator from Kansas?

Mr. HARRISON. I yield.

Mr. CURTIS. I want to call for a quorum, and then ask unanimous consent that we shall take a recess for 10 minutes, in order to pay our respects to and shake hands with the French aviators, Lieut. Dieudonné Costes and Lieut. Commander Joseph Lebrun, who are now waiting to come into the Chamber. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Edwards	La Follette	Shortridge
Barkley	Ferris	McKellar	Simmmons
Bayard	Fess	McMaster	Smith
Bingham	Fletcher	McNary	Smoot
Black	Frazier	Mayfield	Steck
Blaine	George	Moses	Steiwer
Blease	Gerry	Neely	Stephens
Borah	Gillett	Norbeck	Swanson
Bratton	Glass	Norris	Thomas
Brookhart	Gooding	Nye	Trammell
Broussard	Gould	Oddie	Tydings
Bruce	Greene	Overman	Tyson
Capper	Harris	Plue	Wagner
Caraway	Harrison	Pittman	Walsh, Mass.
Copeland	Hawes	Ransdell	Walsh, Mont.
Couzens	Hayden	Reed, Pa.	Warren
Curtis	Heflin	Robinson, Ark.	Waterman
Cutting	Howell	Robinson, Ind.	Watson
Dale	Johnson	Sackett	Wheeler
Deneen	Jones	Schall	Willis
Dill	Kendrick	Sheppard	
Edge	King	Shipstead	

The PRESIDENT pro tempore. Eighty-six Senators having answered to their names, there is a quorum present.

RECEPTION OF LIEUT. COMMANDER JOSEPH LEBRUX AND LIEUT. DIEUDONNÉ COSTES, FRENCH AVIATORS

Mr. CURTIS. Mr. President, I ask unanimous consent that the Senate stand in recess for 10 minutes.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the Senate will stand in recess until 3.05 o'clock.

The Senate being in recess, the Vice President escorted the French aviators, Lieut. Commander Joseph Lebrun and Lieut. Dieudonné Costes, accompanied by Mr. Paul Claudel, the French ambassador, into the Chamber, where they were greeted with great applause.

The Vice President, the ambassador from France, and the French aviators stood in the area near the Secretary's desk, and Mr. CURTIS, the majority leader, and Mr. ROBINSON of Arkansas, the minority leader, personally presented the Members of the Senate to the distinguished visitors, after which they retired from the Chamber amid great applause from the floor and the galleries.

#### PRESIDENTIAL TERMS

The recess having expired, the Senate resumed its session and continued the consideration of the resolution (S. Res. 128) submitted by Mr. LA FOLLETTE.

Mr. HARRISON. Mr. President, the scenario which the senior Senator from Wisconsin [Mr. LA FOLLETTE] has filmed is one of interest and amusement. It is full of tragedy as well as comedy. It is a pity that it is only within the walls of this Chamber that it is being portrayed and that it could not be reproduced elsewhere so the country might visualize on the screen the incidents that have happened here, the pathos, the sympathy, and the tragedy; the looks of disgust upon the part of certain embryo Presidents; the expressions of anxiety upon the part of certain would-be Vice Presidents; the fright that some might be punished by the gentleman in the White House if they should take certain positions with reference to the matter; the ambitious looks on the part of others who would be legatees to all the mischievements of the administration.

It is an amusing situation that confronts the Senate. My heart goes out to the Senator from Kansas [Mr. CURTIS], the Senator from Indiana [Mr. WATSON], and the senior Senator from Ohio [Mr. WILLIS] because they are in a bad fix when it comes to voting upon this particular resolution. This is not a Democratic conception. We have nothing in the world to do with it. Of course, in the discharge of our duty here we have to vote on it. But the resolution originated on the other side of the aisle. I would vote gladly to excuse the Senator from Kansas, the Senator from Indiana, and the senior Senator from Ohio from voting on the proposition because I know, as you know, Mr. President, and as they know, that if they vote for it the President might chastise them as he chastised on one occasion the junior Senator from Ohio [Mr. FESS], and that it might be misconstrued in the country that these embryonic



presidential possibilities really do not want the President to be a candidate for renomination.

Everybody knows that the Senator from Kansas, the senior Senator from Ohio, and the Senator from Indiana do not care if President Coolidge is a candidate for renomination. They would battle for the nomination just the same if he were a candidate. So, as far as that matter is concerned, it does not give them any concern. But if they vote against the resolution then they will have to answer also, because they are then put in the attitude that they do not believe in the time-honored tradition of Washington, Jefferson, Madison, and Monroe, and that really they thought the President was insincere and hypocritical and that they did not believe him when he said he did not choose to run for President again. They do not want to be put in that attitude, and yet the country will accept their action in that way.

Here we have talked for several days—that is, Senators on the other side of the Chamber have—about the pending resolution. Following the action of the distinguished junior Senator from Ohio yesterday in his three-hour discussion and the long speech of the eucalyptian gentleman from California this morning [laughter], I am inclined to believe that there is a well-oiled filibuster against the resolution and that Senators on the other side of the aisle want to hold it here until after the Republican convention shall have met and nominated somebody. Then they might believe, when Mr. Coolidge is not renominated, that they are free to vote upon this particular proposition.

Here is the junior Senator from Ohio [Mr. Fess], who stated yesterday with vigor; and the papers throughout the country accepted it and the people will do likewise, that the President is still a candidate for renomination and that he will accept it if it is given to him, because yesterday the junior Senator from Ohio admitted that he was so close to the President that even when they visited together at the White House and he left, his statements were likely to be accepted as the views of the President. I believe that is the language he employed when the President slapped him upon the wrist with a piece of chewing gum and said, "Simeon, don't do it again." [Laughter.]

Mr. President, evidently the distinguished Senator from Ohio had good reasons for the position he took. That is why there was so much confusion about the proposition for so long a time. After the President had seen him in the White House and upbraided and chastised him, and was so influential with him even as to cause the distinguished Senator from Ohio to go outside and tell a falsehood to the representatives of the newspapers of the country, he persisted in saying that "notwithstanding what the President has done, I am still for his renomination."

I am glad the Vice President has just entered the Chamber and taken the chair, because he is the only one, except those of us on this side of the aisle, who is wholly disinterested in the controversy that is waging on the other side of the Chamber. Of course, it makes no difference to us whether President Coolidge is renominated or some one else is nominated, and it makes no difference to our distinguished Vice President either. [Laughter.] He is giving no concern about it at all. He has made his position so clear that everybody knows he is not a candidate for President of the United States. [Laughter.] If President Coolidge had been as clear in his statement as has our distinguished Vice President, the distinguished Senator from Ohio [Mr. Fess] could not have confused the issue and persisted in being for the President.

Mr. President, I want to read what the distinguished Senator from Ohio has said about the President's position. Of course, I am not going to read the headlines in the papers of October 21 of last year, which said "Coolidge rebukes Fess." I shall not do that, because yesterday the Senator made his confession. But I want to read from an utterance of the distinguished junior Senator from Ohio following that incident. This is carried in the New York Times.

I must admit that the Senator did grow a little cold on the President following this occurrence, and that for a while it seemed as though he had warmed up to the forces of the Willis crowd of Republican leaders in Ohio and was really for his colleague. He acted as though he was true to him for a while. He stopped talking that Coolidge renomination stuff, but all of a sudden something changed the distinguished junior Senator from Ohio. Was it because Congressman BURTON, of Ohio, came out for Hoover and started a fight in Ohio and the situation got mixed up and then the distinguished junior Senator from Ohio thought he would go back to his first love and renominate him for President of the United States? Here is what the Senator said, if he is quoted correctly. Of course, he may not have been, but Mr. Oulahan is a most reputable correspondent and this is a very reputable paper:

As given to the New York Times to-day, the comment of Senator Fess was as follows—

This was October 22 of last year, several days following the chastisement that the President had administered to the distinguished junior Senator from Ohio—

"He said he did not choose to run," said Mr. Fess. "He did the same thing when he was president of the Massachusetts Senate and was being urged to run for lieutenant governor. He followed the same tactics," said Senator Fess, "when he was Governor of Massachusetts and was prevailed upon to become a candidate for President of the United States. It is the Coolidge way."

Said the distinguished junior Senator from Ohio, who admits himself to be so close to the President and to know him so well—

"It is the Coolidge way of doing things. It is the Coolidge psychology"—

Said the junior Senator from Ohio—

"It is my opinion that the mere fact that the President does not say something more in the face of general public clamor is proof that he intends to accept the nomination when it is offered him."

Those are the words of the distinguished junior Senator from Ohio, who yesterday spoke against the resolution and who has been the most persistent leader in the country for the renomination of President Coolidge. Consistency? Why, Mr. President, back here a little while ago the distinguished junior Senator from Ohio gave out other statements, speaking about the President and the tenure of the President in office:

The situation is greatly aggravated by the eligibility to reelection. Not infrequently much of the energy of the head of the administration during the first term is extended in getting ready for reelection—

Said the junior Senator from Ohio—

Ineligibility for reelection would remove the ground which to-day makes the President too much the head of the party rather than the head of the Government, no matter how much he might detest the discrimination. The six or seven years is long enough to develop a real policy, and would enable the administration to accomplish better results than two terms of four years each, because of the overemphasis of party success rather than of the general good.

Those were the views five years ago of the distinguished Senator from Ohio before he became so close to the distinguished President of the United States. Ah, Mr. President, he is not unlike Mark Antony, who, in his funeral oration over the body of Julius Caesar, said:

You all did see that on the Lupercal  
I thrice presented him a kingly crown,  
Which he did thrice refuse.

No, the Senator would follow the action of that historic character.

Mr. President, I submit that with the resolution before the Senate we must not overlook the fact that every Senator who has spoken against the resolution, save one, went out in 1912, in the fight within the Republican Party as to whether Theodore Roosevelt would be nominated or William Howard Taft; and at that time fought the renomination of Theodore Roosevelt.

In their speeches, I dare say—and I call upon them now to disclaim it if it is not true—they went from one end of their States to the other saying that Roosevelt should not be elected because it would be in contravention of the traditions of the Government and the precedent established by Washington, Madison, and Jefferson. That was the main contention that they waged against Roosevelt at that time. I asked the distinguished and golden-throated Senator from California [Mr. SHORTEIDGE] to-day if in that campaign he did not travel from one end of California to the other using those arguments in behalf of his candidate. He stated if the newspapers quoted him in that way that he did not think it was true.

Senators on the Republican side know what the issue was. They are changing front here. Some of them are voting one way or the other, being actuated by various motives which prompt them, some hoping that they may be the legatee of the President in the White House; others thinking it might bring them closer to him, so that they can get more patronage from him. However, I submit, Mr. President, that when they vote to eliminate from the resolution the words—

Resolved, That the Senate commends the observance of this precedent by the President—

they put themselves on record as disbelieving in the sincerity of their own President. They vote to put themselves in

the attitude that they refuse to commend him for observing the tradition of the past.

We have more faith in Calvin Coolidge than some of the Senators on the other side who are close to him have in him. Of course, they know him better than we do. That may be the reason that prompts them. [Laughter.] But we believe that he meant what he said when he stated what he did, even though nobody understood it exactly at that particular time. When he elaborated upon it and amplified it to the national committee, of course everybody then understood what he meant. However, if we had any doubt about it, it was all eliminated when the distinguished Senator from Kansas [Mr. CURTIS] threw his hat into the ring and began to make an aggressive fight for the nomination. [Laughter.]

I have said all I wish to say. I am going to vote for the resolution and uphold the President.

Mr. HEFLIN. Mr. President, I wish to suggest a way out of the dilemma in which some of our friends on the other side of the Chamber find themselves. These candidates for President who are hoping that Mr. Coolidge will not run are disturbed by the presence of this resolution. If they will all vote for the resolution and tell the President that they are backing him up and supporting him in the position that he has taken all will be well, at least so far as their candidacy is concerned. If the President should frown upon them, they can say, "Well, did you not mean what you said when you said you did not choose to run?" So that is the way out of this dilemma for the distinguished candidates for the Presidency on the other side of the Chamber.

Now I want to say a word or two in reply to the Senator from Pennsylvania [Mr. REED]. He said that the expression of opinion in this body upon this question is no more than the expression of an old women's sewing society composed of 96 women. Mr. President, this body has the power to confirm all the appointments of any consequence of the President. It has the power to impeach the President himself. The President can not—he can not obtain pay for his services except by the consent of the Senate. This body has the power to ratify treaties with foreign governments, and they can not be ratified except by its consent. The Senate is peculiarly the body selected by the founders of this Government to be on the house-top watching out for any evil that might approach, calling attention to dangers that might come from any quarter, and certainly to preserve the ancient landmarks of the fathers.

The two-term tradition is as much a part of this Government as if it were written in the Constitution or the law so far as the sanction of the American people is concerned. They believe in it and they want it respected; and Senators who fool themselves and think that the people will think that we are trying to offend the President upon a great question like this are, indeed, amusing as well as deceiving themselves.

Let me tell you, Mr. President, what will happen if the Senate fails and refuses to pass this resolution. The Senate will have shown to the country that it has no conviction on the subject and no desire to prevent a step toward monarchy in America. The Senate can not afford to refuse to adopt this resolution. The Senate must go on record as protesting against any step toward monarchy. A President with the power to fill the offices of this country, to direct legislation, to veto it, to bestow favors upon powerful interests, can build a machine that would be almost impregnable. He could, by using his power, nominate himself for a second term and also for a third term.

If this custom shall ever be broken in any particular it will be effectively broken. The Senator from Pennsylvania has stated that he would not favor breaking the two full-term custom; that he would not favor breaking that precedent; but where a President has had part of a term and has had, in addition, one full term, he is willing for him to have another. Mr. President, I repeat that if this precedent shall be broken at all the barriers will have been burned away, and thereafter any political party can insist, "Oh, well, that question has been up in the Senate, has been discussed, and then thrown into the wastebasket; Coolidge was elected three times, and some other President was elected three times, and the way is open for you." Senators, this is no child's play; it is a serious matter, affecting the future well-being of the Republic and the life of this Government. Washington pointed the way. He said, in effect, "I refuse to be considered for a third term; that is the precedent I set." And this great Government, the greatest in all the world, has observed it to this good day. I am going to cast my vote for the adoption of this resolution.

Mr. KING. Mr. President, will the Senator permit me to qualify one observation of his?

Mr. HEFLIN. I yield.

Mr. KING. The Senator stated that treaties negotiated by the President must be ratified by the Senate. That, of course, is the constitutional requirement, but the Senator will recall that when the Senate recently refused to ratify a treaty, a *modus vivendi* was entered into under the terms of which the rejected treaty was to be put into effect and given vitality.

Mr. HEFLIN. Which ought not to be permitted. Mr. President, the Senate ought to assert itself.

Mr. KING. I agree with the Senator.

Mr. BORAH. Mr. President—

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from Idaho?

Mr. HEFLIN. I yield the floor.

Mr. BORAH. I am going to ask the Senator from Utah to what *modus vivendi* he refers?

Mr. KING. I refer to the *modus vivendi* which was negotiated in the summer of 1927 between the United States and Turkey, under the terms of which, as I interpret them, the provisions of the Lausanne treaty were to be regarded as in effect and the American ambassador sent to Turkey was to treat some of the provisions of the treaty as being in effect.

Mr. BORAH. Mr. President, I think the Senator will ascertain upon investigation that he is in error in regard to this matter. That which the President did in regard to the Turkish situation was unquestionably within the power of the President to do. He made no effort in any way to put into effect the Lausanne treaty, and it is not in effect at this time.

Mr. KING. Mr. President, I differ with the chairman of the Foreign Relations Committee. If that part of the *modus vivendi* which in effect declared that the principles of international law should obtain in the relations between the two countries, then my eminent friend would be correct; but I think that a careful perusal of the terms of the *modus vivendi* will show that it goes further than that and attempts to put into operation the treaty, or some of its provisions, which had been rejected by the Senate.

Mr. BORAH. I think, Mr. President, I will be able to convince the Senator, when we get all the facts, that I am not in error. Because of a statement which the Senator made some time ago, I had occasion personally to investigate this matter, and I am quite sure that he is in error as to the facts.

SEVERAL SENATORS. Vote!

Mr. HARRISON. I ask for the yeas and nays.

Mr. NEELY. Mr. President, in order to relieve the distinguished senior Senator from Ohio [Mr. WILLIS] and the equally distinguished Senator from Connecticut [Mr. BINGHAM] of all possible embarrassment to which their voting for this resolution might subject them, I offer an amendment to be added at the end of the last paragraph of the resolution, as follows:

*Provided*, That if the President should change his mind and choose to become a candidate for reelection the last paragraph of this resolution shall be held to be null and void.

[Laughter.]

The VICE PRESIDENT. The amendment is not in order at this time. There is a motion pending to refer the resolution to the Committee on the Judiciary.

Mr. NEELY. Then I ask that my amendment may lie on the table, subject to be called up when it becomes in order.

The VICE PRESIDENT. The amendment will lie on the table.

The question is on the motion of the Senator from Connecticut to refer Senate Resolution 128 to the Committee on the Judiciary.

Mr. BINGHAM. Mr. President, I have listened with great interest and some edification to the mellifluous eloquence of my distinguished friend, the silver-tongued orator from Mississippi [Mr. HARRISON]. He is always ready to come to the aid of the Republicans in time of need and to give us the pleasure of listening to the good advice which he thinks we so greatly need from time to time. Never does he rise to address us that I do not sit back comfortably in my chair and know that something delightful and worth listening to is coming. I was particularly glad to-day to hear him say that he had so much faith in the President. It is refreshing to find that he has changed his mind since he delivered that wonderful oration in Madison Square Garden on the occasion of so much harmony in his party, when the references which he made to the present President of the United States were not exactly in line with what he said to-day.

Mr. CARAWAY. The Senator must have a long memory.

Mr. BINGHAM. I do not wonder that the Democrats have a short memory in regard to that occasion, Mr. President. I only hope that the 4-H Club that is going to meet down in Texas next June will be easier for them to remember.



Furthermore, the direful prophecies of the modern white-robed Cassandra from Alabama with regard to the danger of our becoming a monarchy are also duly noted on this side of the Chamber. We regret that he has so much pessimism in regard to the Republicans. His direful prophecies, however, I understand, are in the nature of precious advice and warning to us. Just why we need all this advice is a little mysterious.

A few weeks ago, Mr. President, we on this side of the aisle looked on in silence and amusement while the Democratic convention was in progress on the other side of the aisle. But we offered no warning or advice. We saw presidential candidates, including the one who has so recently told us that personally he preferred two terms, holding forth in a manner that brought clouds of grief to the brow of my distinguished friend from Mississippi, who looked as though the only thing he desired was some way of escape from the Chamber. When the Democratic convention was in progress on the other side of the aisle we did not rush in with eloquence and advice, but stayed quietly on our own side, hoping that they would settle it all in a harmonious manner, as was done a few days later, when the distinguished Cassandra from Alabama said that words uttered apparently in earnestness actually were uttered merely in jest.

As a matter of fact, Mr. President, this resolution does not appear to me really to concern the gentlemen on the other side of the aisle. Why should they care so much about it? They have no third-term candidate in view. They need not worry about the proprieties or the principles involved, or the precedents likely to be established. That is a matter which the Republican convention has to worry about. Nevertheless, although the distinguished Senator from Mississippi has told us to-day that this did not concern them, they have spent a great deal of time considering it, and have shown an almost sensitive, tender interest in what was going on.

Indeed, the distinguished Senator from Alabama has several times urged us to pass the resolution immediately. True, his personal preferences in regard to two terms can not be put into effect unless he can secure at least one term, Mr. President. Is it that his chances of securing one term seem to depend upon the thought that if we do not pass this resolution somebody else may be nominated for a third term?

Mr. President, as has often been said before, we fear the Greeks when bearing gifts. This touching interest in our welfare which has been shown by the gentlemen on the other side of the aisle leads one to suspect that they fear that if, through force of circumstances, the present occupant of the White House should be chosen by the Republican convention and should run, their chances of having a President in the White House might go glimmering. Can this be the cause of so much interest and advice?

Actually, Mr. President, the question before us is a motion to refer the resolution to the committee. I should like to give very briefly two or three reasons why it seems to me that this matter ought to be referred to the Committee on the Judiciary.

In the first place, the point arises as to whether it is a proper resolution for us to consider. The Constitution gives us certain legislative duties. Is it not true that lately the Senate has come into disrepute through a large part of the country, due to the fact that we so often neglect our legislative duties to become a grand jury, or to become a band of prosecuting attorneys, or to become a group of investigators and inquisitors, not so much with the intention of perfecting legislation as in an effort to purify and uplift the American public? We have neglected our legislative duties. In this kind of resolution it seems to me we are neglecting them again. Therefore, I think this resolution should be referred to a committee to see whether it is a proper resolution for us to consider.

In the second place, if the resolution is a proper one, is it in the best possible language? Is it not possible to amend the resolution so that it might more nearly meet the views of the distinguished Senator from Idaho [Mr. BORAH], so that in case of grave national emergency there might be no cloud on the necessity of securing a President for a third term, as, for example, in time of war?

In the third place, Mr. President, if it is not a proper resolution, ought not that committee to consider very carefully whether or not an amendment to the Constitution ought to be offered for our consideration? If all the eloquence that has been heard in regard to a third term be founded on sound public policy and be wise, then surely there ought to be some amendment to the Constitution so that in case the public goes crazy over some popular military hero then it might be restrained by a constitutional provision preventing his consideration.

For those reasons, Mr. President, I hope very much that this resolution may be referred to the Committee on the Judiciary. Its distinguished chairman, its distinguished membership, assure

us that there is no danger of its being, as my friend from Alabama believes, a "wastebasket." There is no danger of its being considered a "chloroform chamber," as has been suggested by the Senator from Wisconsin. There is every reason to believe that under the distinguished chairmanship of the Senator from Nebraska [Mr. NORRIS] the resolution will receive earnest consideration and will be put in such shape that all of us who truly believe in the ancient traditions and landmarks of the Nation may have an opportunity of expressing ourselves by voting on such an amendment to the Constitution as they might propose. So we might avoid the accusation which has been leveled against us by many newspapers and many public men throughout the country of wasting our time considering and passing resolutions which the Constitution never intended us to consider and which in no way lie in the realm of legislation.

Mr. HEFLIN. Mr. President, just one word in reply to the Senator.

He referred to what transpired on this side a few days ago on the Hearst-Mexican-Catholic scandal, and incidentally he referred to something that I said concerning tar and feathers, used figuratively and in fun, of course, when replying to the Senator from Arkansas. I am sure that the Senator does not for a moment believe that I intended that remark to be taken seriously. I have not found a Senator in this Chamber on either side who thought that I made that retort seriously to the Senator from Arkansas, and neither have I found anybody outside of this Chamber who hold to such a view except three feeble-minded persons, and I am having them examined for entry into St. Elizabeths Asylum. [Laughter.] No person with any gray matter above his eyes believes that I intended that remark seriously. Only those who have scrambled eggs and mayonnaise dressing in their heads took that remark seriously. [Laughter.]

In all seriousness I want to say this to the distinguished Senator, however: He talked as though this were a partisan political matter and we were trying to meddle with the Republican Party's program. Senators, Washington warned against this very situation. He told us to be on guard always against the partisan spirit and to let our country's welfare stand above it on all occasions. I say to you to-day in all seriousness, whether the occupant of the White House be a Democrat or a Republican, I will vote, every chance I get, to stand by this great principle laid down by Washington. We ought to do everything in our power every time we get a chance to hold this Government true to the purpose of its creation. We ought not to fling aside its best interests for the partisan welfare of anybody or any party. We ought to put country above party. Then let Democrats and Republicans alike here to-day show their patriotism, their willingness to do the right thing, regardless of party considerations.

The VICE PRESIDENT. The question is on the motion of the Senator from Connecticut [Mr. BINGHAM] to refer the resolution to the Committee on the Judiciary.

Mr. HARRISON. I call for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. EDWARDS (when his name was called). I have a general pair with the Senator from Illinois [Mr. DENEN], and in his absence I withhold my vote. If the Senator from Illinois were present he would vote "yea." If I were permitted to vote, I would vote "nay."

Mr. GEORGE (when his name was called). I have a pair with the senior Senator from Colorado [Mr. PHIPPS], who is absent. If he were present, he would vote "yea," and if I were at liberty to vote, I would vote "nay." I withhold my vote.

Mr. CARAWAY (when Mr. METCALF's name was called). I have a general pair with the junior Senator from Rhode Island [Mr. METCALF], who I find is absent. When my name was called I voted "nay," but not knowing how the Senator from Rhode Island would vote were he present, I withdraw my vote.

Mr. SWANSON (when his name was called). I have a pair with the senior Senator from Maine [Mr. HALE], who is absent. If he were present, he would vote "yea," and if I were at liberty to vote, I would vote "nay."

Mr. TYSON (when his name was called). I have a general pair with the junior Senator from West Virginia [Mr. GOFF], who is absent. Not knowing how he would vote were he present, I withhold my vote. If permitted to vote, I would vote "nay."

The roll call was concluded.

Mr. TYDINGS. I desire to announce that the junior Senator from South Carolina [Mr. BLEASE] is detained from the Senate on official business, and that if he were present, he would vote "yea."

Mr. FLETCHER. I transfer my pair with the junior Senator from Delaware [Mr. DU PONT] to the senior Senator from Missouri [Mr. REED] and vote "nay."

Mr. ASHURST (after having voted in the negative). I rise to inquire whether the junior Senator from New Hampshire [Mr. KEYES] has voted?

The VICE PRESIDENT. That Senator has not voted.

Mr. ASHURST. I am paired for the day with the junior Senator from New Hampshire, and being unable to secure a transfer, I respectfully withdraw my vote.

The result was announced—yeas 27, nays 52, as follows:

## YEAS—27

Bingham	Gooding	Oddie	Smoot
Capper	Gould	Pine	Steiwer
Curtis	Greene	Reed, Pa.	Warren
Dale	McLean	Robinson, Ind.	Waterman
Edge	McNary	Sackett	Watson
Fess	Moses	Schall	Willis
Gillett	Norbeck	Shortridge	

## NAYS—52

Barkley	Ferris	Kendrick	Sheppard
Bayard	Fletcher	King	Shipstead
Black	Frazier	La Follette	Simmons
Blaine	Gerry	McKellar	Smith
Borah	Glass	McMaster	Steck
Bratton	Harris	Mayfield	Stephens
Brookhart	Harrison	Neely	Thomas
Broussard	Hawes	Norris	Trammell
Bruce	Hayden	Nye	Tydings
Copeland	Hedin	Overman	Wagner
Couzens	Howell	Pittman	Walsh, Mass.
Cutting	Johnson	Ransdell	Walsh, Mont.
Dill	Jones	Robinson, Ark.	Wheeler

## NOT VOTING—15

Ashurst	du Pont	Hale	Reed, Mo.
Blease	Edwards	Keyes	Swanson
Caraway	George	Metcalf	Tyson
Deneen	Goff	Phipps	

So the Senate refused to refer the resolution to the Committee on the Judiciary.

The VICE PRESIDENT. Does the Senator from West Virginia desire a vote on his amendment?

Mr. NEELY. By all means, Mr. President.

The VICE PRESIDENT. The clerk will read the amendment.

The CHIEF CLERK. Add at the end of the resolution the following proviso:

*Provided, That if the President should change his mind and choose to become a candidate for reelection, the last paragraph of this resolution shall be held void and of no effect.*

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was rejected.

Mr. FESS. Mr. President, I offer an amendment. After line 8, following the colon, I move to strike out all the balance of the paragraph, consisting of the words "*And be it further resolved, That the Senate commends the observance of this precedent by the President.*"

Mr. LA FOLLETTE. Mr. President, does the Senator desire to make a statement with regard to the amendment?

Mr. FESS. Not unless the Senator from Wisconsin is opposed to it.

Mr. LA FOLLETTE. I desire to make a statement concerning it in my own time. I want to accept the amendment, but I desire to make a statement concerning it.

Mr. FESS. I do not care to be heard if the Senator is going to accept it.

Mr. COPELAND. Mr. President, before the Senator from Wisconsin proceeds, may we have the proposed amendment stated?

The VICE PRESIDENT. The clerk will read the amendment.

The CHIEF CLERK. The Senator from Ohio offers the following amendment: On page 1, to strike out, on lines 8, 9, and 10, the words "*And be it further resolved, That the Senate commends the observance of this precedent by the President.*"

Mr. LA FOLLETTE. Mr. President, much of the debate on this resolution has gone afield into the consideration of potential political developments, in which I have no concern, and which, in my judgment, add nothing to the importance of the principle involved in the resolution now before the Senate.

I did not offer the resolution with any concern whatsoever for its possible effect, for good or ill, upon the political fortunes of President Coolidge or any other individual or any political party or faction. My concern was and is for the maintenance of a traditional principle as old as the Government itself, that no man should hold the presidential office for a longer period than eight years, or more than once employ the kingly power and prestige of the office to renominate him-

self and thus destroy that principle. That is my position at this hour.

I first offered a resolution on this subject on February 22, 1927, in exactly the form in which it was adopted by the House of Representatives in 1875 by the overwhelming majority of 234 to 18. That resolution had the support of Garfield, Hoar, Frye, Hale, and all the eminent Republicans and Democrats in the House of Representatives of that day. That resolution was introduced and adopted when it appeared that President Grant might be a candidate for a third term in 1876.

When I introduced the resolution on February 22 last it was generally accepted that President Coolidge would be a candidate for renomination, and I regarded the two-term principle as being in immediate jeopardy. On August 2, 1927, the President issued his statement, "I do not choose to run for President in 1928." On December 6 he amplified and emphasized that statement with a declaration which until recently has been generally interpreted, even by some of his immediate and warmest friends, to mean that he would not be a candidate.

Accordingly, I added to the resolution introduced by me a year ago a clause declaring the commendation of the Senate for the observance of this time-honored precedent.

I added this clause in good faith and in all sincerity in order to avoid the charge that because of my political opposition to the policies of President Coolidge I had attempted to get the Senate by implication to go on record to the effect that it did not take the President at his word in the statements issued by him on August 2 and December 6.

Nevertheless, within the last few days some of the prominent and powerful organization leaders of the Republican Party, notable among the number being National Committeeman Hilles, of New York, have openly and publicly proceeded to launch a movement to "draft" President Coolidge in utter disregard of the principles for which I am contending.

Until I heard the address of the Senator from Ohio yesterday I did not believe it was possible that the President's statements could be interpreted otherwise than as being conclusive, nor did I believe, following the December 6 statement, that he could be induced to yield to such a movement and thereby repudiate the assurance he has given the country and his party, as I interpret it, and thus to attempt the destruction of the anti-third-term tradition.

To my astonishment, and I think to the astonishment of the country, the President's closest political friends in the Senate, led by the Senator from Ohio, object to the clause of commendation on the ground that the President did not, by the express language which he employed, foreclose his acceptance of a nomination if it were tendered him by the convention.

In view of the sources from which this objection emanates, and in view of the authentic character which must be given their interpretation of the President's intent, I accept the amendment to the resolution striking out the concluding paragraph.

Mr. NORRIS. Mr. President—

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Nebraska?

Mr. LA FOLLETTE. I yield.

Mr. NORRIS. I wish the Senator would not accept the amendment, because, while I myself do not care for a roll call, there are some of us who would like to vote on the amendment. I am opposed to the amendment. If the Senator accepts it, of course it will go in as a part of the resolution, and we would have no vote on it. The Senator can accept the amendment, and I presume with his favor it will be adopted, but I wish the Senate might have a vote on it. Otherwise those who want to vote on the question would have to offer an amendment covering the same matter as an addition to the resolution.

Mr. HEFLIN. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. HEFLIN. My understanding was that the Senator said that so far as he was concerned he would accept it.

Mr. LA FOLLETTE. No, Mr. President; it is my intention, as the author of the resolution, for the reasons which I have stated, and which I was continuing to state, to accept the amendment.

The VICE PRESIDENT. The amendment can be reoffered by any Senator from the floor.

Mr. LA FOLLETTE. Yes, Mr. President. I accept this amendment, because the resolution of commendation adds nothing to the force of the first resolution nor to the weight of the Senate's declaration at this time, in view of the situation, against the breach of the two-term tradition.

As a matter of fact, Mr. President, the elimination of this concluding paragraph upon the insistence and demand of the President's intimate friends and supporters more sharply em-



phasizes the importance and the direct implication contained in the body of the resolution.

Let there be no misunderstanding, and I think there should be none, in view of the frank statements made by me at the time this resolution was introduced, and during its consideration as to its import and intended effect. Without regard to personalities involved, it is a direct expression of the Senate's adherence to and determination to maintain this important and sound tradition. The urgent necessity for its adoption by the Senate is only emphasized by the attitude in which his most intimate friends and hearty supporters have placed President Coolidge during the course of this debate.

Mr. NORRIS. Mr. President, I shall not offer as an amendment the language which has been taken out of the resolution by its author, but I can not permit the occasion to pass without just a few words upon the subject.

As a friend of the President, as an old liner and a stalwart, I want to protest against this motion favored and backed by a few New England and mid-west radicals. [Laughter.] I take it that those who favor the amendment are unfriendly to President Coolidge. I think it is a slap at the President, and as a bitter partisan supporter of the President, I want publicly to resent it.

Here is a resolution to be passed by this high legislative body in which we directly commend the President for a patriotic act that he did. We undertake to give him a compliment for following in the line, the pathway, and the footsteps of Washington, Jefferson, and other illustrious leaders in our country. Then here come a few earnest, perhaps, honest, perhaps, but ill-advised insurgents, and they insist that we shall insult the President of the United States, that at least we shall not commend him for following in the footsteps of Washington. His enemies may say, and will say, I think, that in this case we ought to commend him because those like the junior Senator from Ohio [Mr. FESS] and his followers, who are backing up the motion, would probably say that we ought not to establish this kind of a precedent. They could say, they might say, and I fear they will say, that the President has so seldom followed in the footsteps of Washington, Jefferson, and others of our illustrious forefathers, that they do not want to establish a precedent now by commending him in this case where he has done it.

I want to warn these obstreperous Senators that they are treading on dangerous ground. There are those of us who are patriotically trying to back up the President in every good thing that he does, who will not forget this conduct and this attempt to really criticize the President. The President himself will not forget it. A man of his ability and his temperament will remember it as some Senators here have had occasion to know that he has remembered things like this in the past. He ought to remember it. I should not be surprised if in the proper following out of his constitutional duty, now established, to declare war without the consent of Congress, these Senators who are undertaking to strike out of the resolution this clause of praise and commendation to the President will find themselves drafted into the marines [laughter] and used for the purpose of bringing about fair elections in Philadelphia and Pittsburgh. [Laughter.]

Mr. HEFLIN. Mr. President, may we have the resolution read now as it would read as amended?

Mr. FESS. Mr. President, I understand the amendment I proposed has been accepted and there will be no vote on it. I wish to offer a further amendment. In line 4, after the word "second," I move to insert the word "elective," so it would read "after the second elective term." I do not care to debate it.

The VICE PRESIDENT. The Senator from Ohio offers an amendment, which will be stated.

The CHIEF CLERK. In line 4, after the word "second," insert the word "elective," so as to make the resolution read:

Resolved, That it is the sense of the Senate that the precedent established by Washington and other Presidents of the United States in retiring from the presidential office after their second elective term has become, by universal concurrence, a part of our republican system of government, and that any departure from this time-honored custom would be unwise, unpatriotic, and fraught with peril to our free institutions.

Mr. HEFLIN. Mr. President, if I understand the Senator, his amendment would mean that the President would have to be elected two times. He might serve 3 years and 11 months of a term to which he succeeded as Vice President, but under the amendment that service would not count; he would have to have two elections.

Mr. FESS. I think the Senate will easily recognize the meaning of the word "elective."

Mr. HEFLIN. Certainly.

Mr. FESS. We have had six Presidents who have been promoted from the Vice Presidency.

Mr. HEFLIN. Then he might serve 11 years and 11 months—

Mr. FESS. Yes; and he might serve eight years and one day, too.

Mr. HEFLIN. He might serve 11 years and 364 days, as a Senator sitting near me suggests, and still under the Senator's amendment he could have two full terms by being elected to them.

Mr. FESS. He could. This means simply that the American people can, if they want to, elect a man the second time, although he has served a portion of a term to which he came without being elected to that term, but was, under the Constitution, promoted to that term. I do not care to discuss the amendment. It is understood by the Senate.

The VICE PRESIDENT. The question is on agreeing to the amendment submitted by the Senator from Ohio.

Mr. HARRISON. I call for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. ASHURST (when his name was called). Being unable to obtain a transfer of my pair with the Senator from New Hampshire [Mr. KEYES], I withhold my vote.

Mr. EDWARDS (when his name was called). I have a general pair with the Senator from Illinois [Mr. DENEEN]. Not knowing how he would vote on this question, I withhold my vote.

Mr. GEORGE (when his name was called). I have a pair with the senior Senator from Colorado [Mr. PHIPPS]. Not knowing how he would vote on this question, I withhold my vote.

Mr. SWANSON (when his name was called). I have a pair with the senior Senator from Maine [Mr. HALE]. I do not know how he would vote on this question, and therefore withhold my vote. If permitted to vote, I would vote "nay."

Mr. TYSON (when his name was called). I have a general pair with the senior Senator from West Virginia [Mr. GORF]. Not knowing how he would vote on this question, I withhold my vote. If permitted to vote, I would vote "nay."

The roll call was concluded.

Mr. FLETCHER. Making the same announcement as before as to my pair and its transfer, I vote "nay."

Mr. CARAWAY. I have a pair with the junior Senator from Rhode Island [Mr. METCALF]. Not knowing how he would vote, I withhold my vote. If permitted to vote, I would vote "nay."

The result was announced—yeas 6, nays 73, as follows:

YEAS—6			
Bingham	McLean	Waterman	Willis
Fess	Warren		
NAYS—73			
Barkley	Fletcher	McKellar	Sheppard
Bayard	Frazier	McMaster	Shipstead
Black	Gerry	McNary	Simmons
Blaine	Gillett	Mayfield	Smith
Blease	Glass	Moses	Smoot
Borah	Gooding	Neely	Steak
Bratton	Gould	Norbeck	Steiwer
Brookhart	Greene	Norris	Stephens
Broussard	Harris	Nye	Thomas
Bruce	Harrison	Oddie	Trammell
Capper	Hawes	Overman	Tydings
Copeland	Hayden	Pine	Wagner
Couzens	Healin	Pittman	Walsh, Mass.
Curtis	Howell	Ransdell	Walsh, Mont.
Cutting	Johnson	Reed, Pa.	Watson
Dale	Jones	Robinson, Ark.	Wheeler
Dill	Kendrick	Robinson, Ind.	
Edge	King	Sackett	
Ferris	La Follette	Schall	
NOT VOTING—15			
Ashurst	Edwards	Keyes	Shortridge
Caraway	George	Metcalf	Swanson
Deneen	Goff	Phipps	Tyson
du Pont	Hale	Reed, Mo.	

So Mr. Fess's amendment was rejected.

Mr. BINGHAM. I desire to offer an amendment, to which I ask the attention of the Senator from Idaho [Mr. BORAH]. It is in line with his remarks this afternoon. In line 6, after the word "custom," I move to insert the words "except in a case of grave national emergency."

The VICE PRESIDENT. The question is on the amendment of the Senator from Connecticut.

The amendment was rejected.

The VICE PRESIDENT. The question is on agreeing to the resolution as amended.

Mr. FESS. Mr. President, I offer an amendment to the resolution. In line 7, after the word "unwise," I move to strike out the words "unpatriotic, and fraught with peril to our free institutions."

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Ohio.

Mr. ROBINSON of Arkansas. Mr. President—

Mr. McKELLAR. Let the amendment be reported.

The VICE PRESIDENT. The Chair recognizes the Senator from Arkansas.

Mr. ROBINSON of Arkansas. The last amendment proposed by the Senator from Ohio which was voted on constituted an interpretation of the intent and true meaning of the resolution. We have been discussing the resolution now for several days, and I think the amendment of the Senator from Ohio last voted upon, and which was rejected by a vote of 70 opposed to the amendment to 6 in favor of it, disclosed that the Senate fully understands the resolution. I think that it will not be necessary to amend it.

SEVERAL SENATORS. Vote!

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Ohio [Mr. Fess].

The amendment was rejected.

The VICE PRESIDENT. The question is on agreeing to the resolution as amended.

Mr. LA FOLLETTE and Mr. HARRISON called for the yeas and nays, and they were ordered.

The Chief Clerk proceeded to call the roll.

Mr. ASHURST (when his name was called). For the day I am paired with the Senator from New Hampshire [Mr. KEYES]. I transfer that pair to the senior Senator from Missouri [Mr. REED] and vote "yea."

Mr. CARAWAY (when his name was called). Making the same announcement with reference to my pair as on the previous vote, I withhold my vote.

Mr. EDWARDS (when his name was called). On this question I am paired with the Senator from Illinois [Mr. DENEN]. If he were present, I am informed that he would vote "yea." As I intend to vote in the affirmative, I am permitted to vote, and vote "yea."

Mr. GEORGE (when his name was called). I have a general pair with the Senator from Colorado [Mr. PHIPPS]. If he were present, he would vote "nay," and if I were permitted to vote I should vote "yea."

Mr. SWANSON (when his name was called). I am paired with the senior Senator from Maine [Mr. HALE]. I am informed by his colleague the junior Senator from Maine [Mr. GOULD] that if he were present he would vote "nay." If I were privileged to vote, I should vote "yea." I withhold my vote.

Mr. TYSON (when his name was called). I have a general pair with the Senator from West Virginia [Mr. GORR]. Not knowing how he would vote if present, I withhold my vote. If permitted to vote, I should vote "yea."

The roll call was concluded.

Mr. FLETCHER. I have a general pair with the Senator from Delaware [Mr. DU PONT]. I am advised, however, that if he were present he would vote as I intend to vote. I will therefore vote. I vote "yea."

The result was announced—yeas 56, nays 26, as follows:

#### YEAS—56

Ashurst	Cutting	Howell	Sackett
Barkley	Dill	Johnson	Schall
Bayard	Edwards	Kendrick	Sheppard
Black	Fletcher	King	Shipstead
Blaine	Frazier	La Follette	Simmons
Borah	Gerry	McKellar	Smith
Bratton	Gillett	McMaster	Steck
Brookhart	Glass	Mayfield	Stephens
Broussard	Gooding	Neely	Thomas
Bruce	Harris	Norris	Trammell
Capper	Harrison	Nye	Tydings
Copeland	Hawes	Overman	Wagner
Couzens	Hayden	Pittman	Walsh, Mont.
Curtis	Heflin	Robinson, Ark.	Wheeler

#### NAYS—26

Bingham	Greene	Pine	Walsh, Mass.
Blease	Jones	Ransdell	Warren
Dale	McLean	Reed, Pa.	Waterman
Edge	McNary	Robinson, Ind.	Watson
Ferris	Moses	Shortridge	Willis
Fess	Norbeck	Smoot	
Gould	Oddie	Stelwer	

#### NOT VOTING—12

Caraway	George	Keyes	Reed, Mo.
Deneen	Goff	Metcalf	Swanson
du Pont	Hale	Phipps	Tyson

So the resolution as modified was agreed to, as follows:

Resolved, That it is the sense of the Senate that the precedent established by Washington and other Presidents of the United States in retiring from the presidential office after their second term has become, by universal concurrence, a part of our republican system of government, and that any departure from this time-honored custom would be unwise, unpatriotic, and fraught with peril to our free institutions.

#### ALIEN PROPERTY AND OTHER CLAIMS

Mr. SMOOT. I move that the Senate proceed to the consideration of Calendar No. 281, being House bill 7201, known as the alien property bill.

The VICE PRESIDENT. The question is on the motion of the Senator from Utah to proceed to the consideration of House bill 7201.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 7201) to provide for the settlement of certain claims of American nationals against Germany and of German nationals against the United States, for the ultimate return of all property of German nationals held by the Alien Property Custodian, and for the equitable apportionment among all claimants of certain available funds, which had been reported from the Committee on Finance with amendments.

Mr. CURTIS. I ask the Senator if he will not allow the bill to be temporarily laid aside, so that I may make a request.

Mr. SMOOT. I ask unanimous consent that the unfinished business may be temporarily laid aside.

The VICE PRESIDENT. Without objection, it is so ordered.

#### ADJOURNMENT TO MONDAY

Mr. CURTIS. Mr. President, I am advised that a number of Senators will be away to-morrow, and I ask unanimous consent that when the Senate concludes its business to-day it adjourn to meet at 12 o'clock on Monday next.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 278) to amend section 5 of the act entitled "An act to provide for the construction of certain public buildings, and for other purposes," approved May 25, 1926.

The message also announced that the House had passed the bill (S. 2656) to establish a minimum area for a Shenandoah National Park, for administration, protection, and general development by the National Park Service, and for other purposes.

#### ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were thereupon signed by the Vice President:

H. R. 473. An act authorizing the Ashland Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Ohio River at or near Ashland, Ky.;

H. R. 7013. An act authorizing and directing the Secretary of War to lend to the Governor of Arkansas 5,000 canvas cots, 10,000 blankets, 10,000 bed sheets, 5,000 pillows, 5,000 pillowcases, and 5,000 mattresses or bed sacks to be used at the encampment of the United Confederate Veterans to be held at Little Rock, Ark., in May, 1928;

H. R. 7902. An act granting the consent of Congress to the State Highway Department of the State of Alabama to construct, maintain, and operate a free highway bridge across the Coosa River at or near Wetumpka, Elmore County, Ala.; and

H. R. 8269. An act making appropriations for the Departments of State and Justice and for the judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1929, and for other purposes.

#### PETITIONS AND MEMORIALS

Mr. THOMAS presented sundry memorials numerously signed by citizens of the State of Oklahoma, remonstrating against the passage of the so-called Brookhart bill relative to the distribution of motion pictures in the various motion-picture zones of the country, which were referred to the Committee on Interstate Commerce.

Mr. BINGHAM presented a resolution adopted by Ben Miller Council, No. 11, Junior Order United American Mechanics, of Danbury, Conn., protesting against repeal of the national-origins provisions of the existing immigration law, which was referred to the Committee on Immigration.

He also presented a resolution adopted by the Connecticut State Federation of Women's Clubs, indorsing the so-called McSweeney bill, to facilitate research as to methods of forest production and conservation, which was referred to the Committee on Agriculture and Forestry.

He also presented a memorial of sundry citizens of Cromwell, Conn., remonstrating against the adoption of the proposed naval building program, which was referred to the Committee on Naval Affairs.



He also presented a memorial of sundry citizens of New Haven, Conn., remonstrating against the passage of the so-called Brookhart bill relative to the distribution of motion pictures in the various motion-picture zones of the country, which was referred to the Committee on Interstate Commerce.

Mr. ROBINSON of Arkansas presented a resolution adopted by the Little Rock (Ark.) Engineers' Club, favoring the passage of Senate bill 851, affording relief to relatives of persons losing their lives in the disaster to the U. S. S. *Norman*, which was referred to the Committee on Claims.

He also presented a resolution adopted by the Southern States Conference of Beekeepers' Associations, favoring inclusion in the next census of provision for the enumeration of colonies of bees excepting those on farms, etc., which was referred to the Committee on Commerce.

He also presented a resolution adopted by the Southern States Conference of Beekeepers' Associations, protesting against the passage of the proposed corn sugar bill, which was referred to the Committee on Agriculture and Forestry.

He also presented a resolution adopted by the Southern States Conference of Beekeepers' Associations, favoring the making of an additional appropriation of \$10,000 (through the Department of Agriculture) to establish in the South a field laboratory for the solving of certain problems relative to the beekeeping industry, which was referred to the Committee on Agriculture and Forestry.

He also presented a memorial of sundry citizens of the State of Arkansas, remonstrating against the passage of the so-called Brookhart bill, relative to the distribution of motion pictures in the various motion-picture zones of the country, which was referred to the Committee on Interstate Commerce.

Mr. COPELAND presented petitions of sundry citizens of New York City, N. Y., praying for the passage of legislation granting increased pensions to Civil War veterans and their widows, which were referred to the Committee on Pensions.

He also presented a resolution adopted at the seventy-third annual meeting of the New York State Horticultural Society at Rochester, N. Y., favoring the passage of the so-called Borah bill establishing a licensing system for dealers and commission men handling fruits and vegetables, etc., which was referred to the Committee on Agriculture and Forestry.

PROF. WILLIAM H. H. HART

Mr. CURTIS presented certain papers and documents, which were referred to the Committee on Claims, to accompany the bill (S. 2325) for the relief of Prof. William H. H. Hart, principal of the Hart Farm School and Junior Republic for Dependent Children.

#### REPORTS OF COMMITTEES

Mr. CARAWAY, from the Committee on Agriculture and Forestry, to which was referred the bill (S. 1103) permitting the withdrawal of water from White River, Ark., reported it without amendment and submitted a report (No. 280) thereon.

Mr. WHEELER, from the Committee on Indian Affairs, to which was referred the bill (S. 2815) to reimburse certain Indians of the Fort Belknap Reservation, Mont., for part or full value of an allotment of land to which they were individually entitled, reported it without amendment and submitted a report (No. 281) thereon.

#### BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JONES:

A bill (S. 3120) granting a pension to William L. Thomas (with accompanying papers); to the Committee on Pensions.

A bill (S. 3121) for the relief of F. A. McGregor; to the Committee on Naval Affairs.

By Mr. THOMAS:

A bill (S. 3122) granting a pension to Sarah Purnell; to the Committee on Pensions.

By Mr. NEELY:

A bill (S. 3123) granting a pension to Devonah Watts; to the Committee on Pensions.

By Mr. GREENE:

A bill (S. 3124) granting an increase of pension to Ethyl M. C. Horner; to the Committee on Pensions.

By Mr. WILLIS:

A bill (S. 3125) granting an increase of pension to Catherine Alter (with accompanying papers); to the Committee on Pensions.

By Mr. McKELLAR:

A bill (S. 3126) granting an increase of pension to Pleasant Nidifer; to the Committee on Pensions.

By Mr. FRAZIER:

A bill (S. 3127) to amend section 217 as amended of the act entitled "An act to codify, revise, and amend the penal laws of the United States," approved March 4, 1909; to the Committee on Post Offices and Post Roads.

(By request.) A bill (S. 3128) to amend section 3 of the act approved April 12, 1926 (44 Stat. 239, 240), with reference to suits involving Indian land titles among the Five Civilized Tribes; to the Committee on Indian Affairs.

By Mr. WALSH of Montana:

A bill (S. 3129) for the relief of Frank N. Dominick; to the Committee on Military Affairs.

By Mr. TYDINGS:

A bill (S. 3130) to amend the act of March 3, 1915, by extending to the widows or dependents of naval officers and enlisted men who die and to enlisted men who are disabled as a result of submarine accidents the same pensions as are allowed in the case of aviation accidents; and

A bill (S. 3131) to provide additional pay for personnel of the United States Navy assigned to duty on submarines and to diving duty; to the Committee on Naval Affairs.

By Mr. DALE:

A bill (S. 3132) granting an increase of pension to Elmira M. Story (with accompanying papers); to the Committee on Pensions.

By Mr. JOHNSON:

A bill (S. 3133) to amend section 17 of the act approved June 10, 1922, entitled "An act to readjust the pay and allowances of the commissioned and enlisted personnel of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service," as amended; to the Committee on Military Affairs.

By Mr. WATSON:

A bill (S. 3134) granting a pension to Daisy Jinks; to the Committee on Pensions.

By Mr. WILLIS:

A bill (S. 3135) granting an increase of pension to Jinia F. King (with accompanying papers); to the Committee on Pensions.

#### AMENDMENT TO DISTRICT OF COLUMBIA APPROPRIATION BILL

Mr. COPELAND submitted an amendment intended to be proposed by him to the District of Columbia appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

At the proper place in the bill insert the following:

Northwest: For the widening to 50 feet and repaving the roadway of H Street from Seventeenth Street to Eighteenth Street, \$30,000. In the widening and repaving of the roadway of H Street between Seventeenth and Eighteenth Streets, 40 per cent of the entire cost thereof shall be assessed against and collected from the owners of abutting property in the manner provided in the act approved July 1, 1914 (38 Stat. L. 524), as amended by section 8 of the act approved September 1, 1916 (39 Stat. L. 716), and the owners of abutting property also shall be required to modify, at their own expense, the roofs of any vaults that may be under the sidewalk on said street if it be found necessary to change such vaults to permit of the roadway being widened.

#### ADMINISTRATION OF CIVIL SERVICE LAWS

Mr. WALSH of Massachusetts. Mr. President, I ask unanimous consent to have a communication from the National Civil Service Reform League printed in the RECORD and referred to the Committee on Civil Service.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The matter referred to is here printed, as follows:

NATIONAL CIVIL SERVICE REFORM LEAGUE,  
8 West Fortieth Street, New York, February 4, 1928.

Hon. DAVID L. WALSH,

United States Senate, Washington, D. C.

MY DEAR SENATOR WALSH: I have read with interest your remarks, as contained in the CONGRESSIONAL RECORD of January 31, in connection with the amendment proposed by Senator BRUCE to classify certain employees of the Fleet Corporation and the Shipping Board under the civil service law.

The National Civil Service Reform League has been conscious for many years of the fact that certain provisions of the civil service law (the act of January 18, 1883) have been grossly abused by administrative officials. By far the most serious and the most extended abuse of the merit system in the Federal civil service occurs because of the latitude which is given to appointing authorities for the selection of one out of three on the eligible lists submitted by the Civil Service Commission. Under this provision of the rules, which, according to an opinion of the Attorney General, is made necessary under the Constitution (13 Op. Atty. Gen. 516, August 31, 1871), the spoils system

is permitted to creep in with all its vicious results. The damage is most noticeable in the Postal Service, where the examinations are conducted in the field and where but one vacancy exists for each examination.

Since legislation to require the appointment of the person standing highest on eligible lists would be attacked on the ground of its questionable constitutionality, the league has endeavored for the past few years to obtain Executive orders which would in effect accomplish the same purpose as legislation in this regard. In connection with the Postal Service we have asked the Postmaster General to adopt a rule for his own guidance that in making selections from eligible lists for postmasterships and positions of rural carrier, he would take the person standing highest unless there were some exceptional reason why he should not, in which case he should make a written statement of the reason for the information of the President and the United States Civil Service Commission. This the Postmaster General refused to do. The only reason we were able to obtain from him for not doing so was that political pressure upon him was such that he could not do so.

We have carried our appeal to the President, asking that he by Executive order instruct the Postmaster General to adopt this policy with relation to appointments to postmasterships and positions of rural carrier. This the President has so far been unwilling to do.

The bad effect of the policy of the selection of one out of three is due to the present practice of the Post Office Department of submitting the eligible list to the Member of Congress or to the local political leader in the district in which the vacancy has occurred. He is asked to recommend the person he considers best fitted "as to character or residence." As you well know, section 10 of the civil service law restricts the recommendations that may be received by appointing officers from Members of Congress to the question of character or residence of the candidate. However, it is well known and, indeed, it is only natural that the judgment of a Member of Congress as to the character of a candidate is in most cases controlled by the political opinions and affiliations of the candidate. Section 10 of the civil service law was intended to prevent the very things that by the present practices of the Post Office Department are permitted under it.

The league would be glad to have your opinion as to the best means of correcting this situation. For example, would you agree to a provision in the law which would prohibit heads of departments from seeking or receiving recommendations from the Members of Congress or from local political leaders as to the selection of one of the three persons on eligible lists for postmasterships or positions of rural carrier?

I inclose a marked copy of proceedings of the last annual meeting of the league, in which this subject was discussed in the annual report of our council.

Sincerely yours,

H. W. MARSH, *Secretary.*

#### REGULATION OF IMMIGRATION

Mr. REED of Pennsylvania. Mr. President, I ask leave to insert in the RECORD a letter from Congressman JOHN C. BOX, of Texas, on the subject of the proposed quota for Mexican immigration.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The matter referred to is here printed, as follows:

HOUSE OF REPRESENTATIVES,  
Washington, D. C., February 1, 1928.

Mr. WILLIAM C. HALL,  
*Secretary Chamber of Commerce, Lufkin, Tex.*

MY DEAR MR. HALL: I am just in receipt of your letter of the 28th ultimo, in which you say:

Hon. JOHN C. BOX,  
Washington, D. C.

DEAR MR. BOX: This is to inform you that at a recent meeting of the board of directors of the Lufkin Chamber of Commerce, in which we had a large attendance, the matter of restricting Mexican immigration, which is brought into Texas for the purpose of furnishing the necessary labor to carry on the general farming operations, especially along the southern line of Texas, also to assist in railroad work and general development work in the timber country, which is so necessary to the upbuilding of our great State.

Our directors were unanimous in their opinion that it was a mistake to restrict this immigration, and that they are joined by a majority of our people in this opinion. They desire to inform you that this matter of restriction is in opposition to the best thought of our local people, and they strongly protest the action you have taken in regard to this matter. It is hoped that you will reconsider your action regarding the immigration matter and aid in continuing the present arrangement for the use of this class of labor in Texas.

This letter is being sent to each of the Congressmen of the State, also to the various district chamber of commerce organizations.

Yours very truly,

WM. C. HALL, *Secretary.*

I believe that I know more about the bearing of this question upon the welfare of all of the people now and hereafter than any man or group looking upon it from the standpoint of personal and local immediate financial interest.

The bulk of these Mexican peons do not return to Mexico, as is often incorrectly stated. The number of alien-born Mexicans in Texas and throughout the country is increasing rapidly. Their numbers more than doubled between 1900 and 1910, and more than doubled again between 1910 and 1920, and probably have more than doubled again since 1920. Some estimate our present alien Mexican population at 3,000,000. An official estimate made some time ago placed it at more than 1,000,000. I estimate it at some 2,000,000.

Every reason which calls for the restriction of undesirable immigrants from other countries calls for restriction against these peons. They are illiterate and many of them suffer from contagious diseases which they spread. They furnish a disproportionately large number of paupers and criminals. Where they are numerous many of them vote, and they are becoming numerous in many places. Under bad leadership their ignorance and degradation often debauches the ballot shamefully.

They are displacing thousands of American-born men and women in our industries and turn our own people adrift in search of honest employment, sometimes into vagrancy. American farmers are now producing a surplus of staple products which bears down ruinously the prices of farm products at home and abroad. More Mexican peons working for absentee landlords add to the distress of this situation. In rural communities they supplant Americans and correspondingly weaken country schools, churches, and all good community life. The admission of many thousands of them annually tends to drive our rural population farther down toward pauper peasantry.

Human experience, as it has passed through successive generations, has been filled with the record of such blunders as you would have me make now and the woes which have resulted. Thoughtful men do not laugh at the lessons taught by history, which is the record of human experience. You urge the very reasons which were urged in support of the bringing of black slave labor to America. That resulted in years of strife, war, and ruin, the loss of hundreds of thousands of the finest lives, bitter sectionalism in the Nation for half a century, and still leaves a troublesome, ominous race question. Large sections of the country have already been so filled with similar people from southern and eastern Europe that their American minorities are alarmed and the rest of the country disturbed. This movement into Texas, California, and the Southwest is like it in character and in the dangers attending it. Race troubles have already occurred between Mexicans and Americans in several places in Texas, Colorado, and elsewhere. That Mexican and American people and ideas and practices do not blend harmoniously was proven in Texas 90 years ago. The Alamo, Goliad, and many other horrors resulted. You are asking me to remix some things my grandfather helped to unscramble at San Jacinto.

Gentlemen, I am a public servant, grateful for the confidence and kindness shown me by my constituents, and anxious to have your approval, but bound to make the public welfare paramount. If my knowledge, judgment, and sense of duty deprive me of your approval, I shall regret it. If a majority of the people of Angelina County and the district agree with you in demanding a reversal of my course and can find a man who will be more complacent and forgetful of other obligations upon him, or who agrees with you and is frank and courageous enough to publicly so declare himself, the course to be pursued by your Representative, after my present service terminates, can be settled in the good American way. I am a candidate for reelection and shall go forward in the course I indicated from the beginning and am consistently following.

In all matters wherein I can serve you, your directors, and membership consistently with the paramount obligations resting upon me, I remain,

Your servant,

JOHN C. BOX.

#### RETIREMENT OF DISABLED EMERGENCY OFFICERS

Mr. TYSON. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial from the New York Times of February 8, 1928, entitled "Justice to disabled emergency officers."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

#### JUSTICE TO DISABLED EMERGENCY OFFICERS

The bill for the relief of disabled emergency officers of the Army has twice passed the Senate. Recently it was reported to the House of Representatives with only one vote in the negative. There seems to be no reason why it should not be taken up and put on passage. Why the delay? Such legislation would be an act of justice to meritorious officers who led American troops in France and who are 30 per cent or more disabled. Regular Army officers in the same condition have been



retired and are receiving 75 per cent of the pay of their rank. In a report on the bill made on January 23, Senator Tyson said:

"There were nine classes of officers who fought in the World War. These were the Regular, provisional, and emergency officers of the Army, Navy, and Marine Corps. Eight of these nine classes of officers have been retired by the Congress for wounds and disabilities resulting from their World War services. The only officers for whom the Congress has failed to provide retirement are the disabled emergency Army officers."

The selective service act of May, 1917, put all officers and men not of the Regular Army on the same footing as regards pay, allowances, and pensions with officers and men of the Regular Army. There should be no discrimination against the emergency officers. But for almost eight years there has been a discrimination. Why should a Regular Army officer, retired for wounds and physical disability, receive a substantial pension and the emergency officer be deprived of it? Senator Tyson brought out the fact that 93 per cent of the Army officers killed in action were emergency officers. To-day their average age is 48 years. The battle deaths of the emergency officers were 54 per cent greater than those of the men who served under them.

It is not true, as asserted, that enlisted men are opposed to the Tyson-Fitzgerald bill. Ninety per cent of the members of the American Legion served in the ranks, and ten times the Legion has approved the principle of the proposed legislation. Seven times have the Disabled American Veterans recorded their commendation. "The disabled emergency enlisted man," says Senator Tyson, "realizes that the compensation now drawn by him is more than he would draw if this act were made applicable to him." With slight criticism of the wording of the bill, which did not affect the principle of it, Secretary of War Davis gave his sanction to it on January 21 in a letter to Chairman REED, of the Senate Military Affairs Committee. Mr. Davis, however, said that the Director of the Bureau of the Budget had advised him that "the proposed legislation" was "in conflict with the financial program of the President." But does anyone think that Mr. Coolidge would veto this bill if it were sent to him by Congress? The country does not want money saved at the expense of the gallant emergency officers of the World War. The obstructionists should stand aside and let the House vote.

#### OHIO RIVER BRIDGE AT MADISON, IND.

Mr. WATSON. Mr. President, some days ago the Senate passed a Senate bill to construct a bridge at Madison, Ind. The House has passed a similar bill, being House bill 7916, which has come over to the Senate and been referred to the Committee on Commerce. I move that the Committee on Commerce be discharged from further consideration of the bill and that it may be considered at this time.

The VICE PRESIDENT. In the absence of objection, the Committee on Commerce will be discharged from further consideration of the bill.

Mr. WATSON. I ask unanimous consent for the immediate consideration of the bill (H. R. 7916) authorizing the Madison Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Ohio River at or near Madison, Jefferson County, Ind.

The VICE PRESIDENT. Is there objection?

There being no objection, the Senate, as in Committee of the Whole proceeded to consider the bill.

Mr. JONES. May I ask the Senator if the House bill is identical with the Senate bill which the Senator says has been passed?

Mr. WATSON. My understanding is that they are identical.

The VICE PRESIDENT. The Chair is informed that the bills are identical.

Mr. JONES. If the bills are identical, I have no objection.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### ASSISTANT PRINTING CLERK

Mr. WATSON. Mr. President, a day or two ago there was reported from the Committee to Audit and Control the Contingent Expenses of the Senate a resolution submitted by me providing for the employment of an additional clerk in the office of the Secretary of the Senate. I ask, out of order, unanimous consent for the immediate consideration of that resolution.

Mr. KING. I should like to ask the Senator the reason for that? We have had more business at other sessions of the Senate than at this.

Mr. WATSON. There are several employees in the office of the Secretary who are not well. Of course, they are on the roll. The Secretary now has one employee in his office who is sick and can not perform the duties required. There is absolute necessity for it or I would not have offered the resolution.

The VICE PRESIDENT. Is there objection?

There being no objection, the resolution (S. Res. 140) was considered and agreed to, as follows:

*Resolved*, That the Secretary of the Senate hereby is authorized and directed to employ an assistant printing clerk from February 1, 1928, for service in the office of the Secretary at the rate of \$1,940 per annum to be paid from the contingent fund of the Senate until the end of the present session of Congress.

#### RECORDS OF GENEVA CONFERENCE

Mr. BINGHAM. Mr. President, I ask unanimous consent for the immediate consideration of a resolution on the calendar which involves the printing of a document. It should not have gone to the calendar in the first place. I refer to Senate Resolution 134, which has been reported by the Committee on Printing and which proposes to print the manuscript entitled "Records of the Conference for the Limitation of Naval Armaments held at Geneva from June 20 to August 4, 1927." There is necessity for the immediate printing of the document, as there are no copies available.

Mr. ROBINSON of Arkansas. I understand the Senator to say that the resolution has been reported from the Committee on Printing?

Mr. BINGHAM. Yes.

Mr. ROBINSON of Arkansas. Is the report unanimous?

Mr. BINGHAM. Yes.

The VICE PRESIDENT. Is there objection?

There being no objection, the resolution (S. Res. 134) was considered and agreed to, as follows:

*Resolved*, That the manuscript entitled "Records of the Conference for the Limitation of Naval Armament held at Geneva from June 20 to August 4, 1927," be printed as a Senate document.

#### MENOMINEE RIVER BRIDGE AT MARINETTE, WIS.

Mr. BLAINE. I ask unanimous consent for the immediate consideration of the bill (S. 2902) granting the consent of Congress to the States of Wisconsin and Michigan to construct, maintain, and operate a free highway bridge across the Menominee River at or near Marinette, Wis.

Mr. KING. I will inquire of the Senator if the report on the bill is unanimous?

Mr. BLAINE. It is.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Commerce with an amendment, in section 1, on page 1, line 6, after the word "River," to insert "at a point suitable to the interests of navigation," so as to make the bill read:

*Be it enacted, etc.*, That the consent of Congress is hereby granted to the State of Wisconsin and the State of Michigan to construct, maintain, and operate a free highway bridge and approaches thereto across the Menominee River at a point suitable to the interests of navigation at or near Marinette, Wis., in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Sec. 2. There is hereby conferred upon the State of Wisconsin and the State of Michigan all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

Sec. 3. The right to alter, amend, or repeal this act is hereby expressly reserved.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### EXECUTIVE SESSION

Mr. CURTIS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and the Senate (at 4 o'clock and 35 minutes p. m.), in pursuance of the order previously entered, adjourned until Monday, February 13, 1928, at 12 o'clock meridian.

## CONFIRMATIONS

*Executive nominations confirmed by the Senate February 10  
(legislative day of February 9), 1928*

## POSTMASTERS

## CONNECTICUT

Louis J. A. Stefon, Baltic.  
Frank D. Stanton, Stonington.

## INDIANA

Walter J. Daunhauer, Ferdinand.  
Dora B. Henderson, Lakeville.  
Harvey E. McNees, Winchester.

## KANSAS

Rosa M. Harmon, Oil Hill.

## MAINE

Dwight P. Macartney, Oakland.  
Lysle W. Folsom, Springvale.  
Lester E. Goud, Topsham.

## MICHIGAN

W. DeMont Wright, Harbor Springs.  
Harry C. Ziegler, Wayne.

## MISSOURI

Harley C. Shively, Hamilton.  
Tom D. Purdy, Harris.  
Jennette M. Boisseau, Holden.

## NEVADA

Margaret F. Rackliffe, Hawthorne.

## NEW YORK

Edgar F. Cummings, Beacon.  
Albert B. W. Firmin, Brooklyn.  
William E. Lent, East Williston.  
Mary Murdie, Loon Lake.  
Anna E. McHugh, Seaford.  
Carlyle S. Hoskins, Stillwater.  
John De Frine, Williamson.

## NORTH CAROLINA

James L. Edwards, Newport.

## NORTH DAKOTA

William E. Knox, Antler.  
Albert E. Gutekunst, Drayton.  
Joseph H. Huseby, Leeds.  
Ivah A. Miller, Nome.  
James Fitzpatrick, Sawyer.

## OREGON

Cora Maconn, Warrenton.

## PENNSYLVANIA

Mary A. Kerr, Boyers.  
William W. Latta, California.  
Kathryn L. Petrini, East Brady.  
Roy R. Rhodes, Freedom.  
Frank Kerr, Madera.  
William M. Thomas, Ridgway.  
Edward G. Carper, Roaring Spring.  
Harry L. Kelley, Slippery Rock.  
Frank G. Jones, Spartansburg.  
Helen L. Chaffee, Wesleyville.

## TENNESSEE

Baltis L. Kemp, Adamsville.  
Mamie D. Phillips, Brighton.  
William T. McCown, Fayetteville.  
Samuel P. Raulston, Jasper.  
John D. Brooks, Russellville.  
Thomas E. Richardson, Tullahoma.

## TEXAS

Jefferson D. Bell, Bartlett.  
Neeley R. Vaught, Burk Burnett.  
Eugene Webb, Corrigan.  
James R. Melvin, Gilmer.  
Joe Burger, sr., Wharton.

## UTAH

Leo N. Gledhill, Gunnison.

## HOUSE OF REPRESENTATIVES

FRIDAY, February 10, 1928

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our blessed, blessed Heavenly Father, Thou hast called us to a great task. We would prepare ourselves at Thy altar, and there exercise the greatest and the humblest virtue, which is penitence. May our greatest victories be wrought in our own hearts. Let the thought of God become increasingly precious to us. Open Thou our eyes that may behold wondrous things out of Thy law. Show us the wealth that lies beneath the old familiar Word. O teach us over again the glory of that treasure that lies hidden in the songs of Zion, and raise us up to that height of aspiration which was the summit of the prophets of old. Make these hours golden by revealing unto us Thy wisdom. But, above all, make us men after God's own heart—which is, make us just, loving, generous, and magnanimous. Through Christ our Savior. Amen.

The Journal of the proceedings of yesterday was read and approved.

## MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Craven, its principal clerk, announced that the Senate had passed without amendment bills of the following titles:

H. R. 473. An act authorizing the Ashland Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Ohio River at or near Ashland, Ky.; and

H. R. 7902. An act granting the consent of Congress to the State Highway Department of the State of Alabama to construct, maintain, and operate a free highway bridge across the Coosa River at or near Wetumpka, Elmore County, Ala.

The message also announced that the Senate had passed a concurrent resolution and bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. Con. Res. 10. Concurrent resolution requesting certain information from the Interstate Commerce Commission relative to regulation of freight rates with a view to equalizing prosperity among producers of commodities;

S. 1478. An act to authorize an appropriation for the construction of a road on the Lummi Indian Reservation, Wash.; and

S. 2656. An act to establish a minimum area for a Shenandoah National Park, for administration, protection, and general development by the National Park Service, and for other purposes.

## SENATE CONCURRENT RESOLUTION REFERRED

A concurrent resolution of the following title was taken from the Speaker's table, and, under the rule, referred to the appropriate committee, as follows:

S. Con. Res. 10. Concurrent resolution requesting certain information from the Interstate Commerce Commission relative to regulation of freight rates with a view to equalizing prosperity among producers of commodities; to the Committee on Interstate and Foreign Commerce.

## ENROLLED BILLS SIGNED

Mr. CAMPBELL, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 473. An act authorizing the Ashland Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Ohio River at or near Ashland, Ky.;

H. R. 7013. An act authorizing and directing the Secretary of War to lend to the Governor of Arkansas 5,000 canvas cots, 10,000 blankets, 10,000 bed sheets, 5,000 pillows, 5,000 pillowcases, and 5,000 mattresses or bed sacks to be used at the encampment of the United Confederate Veterans to be held at Little Rock, Ark., in May, 1928;

H. R. 7902. An act granting the consent of Congress to the State Highway Department of the State of Alabama to construct, maintain, and operate a free highway bridge across the Coosa River at or near Wetumpka, Elmore County, Ala.; and

H. R. 8269. An act making appropriations for the Departments of State and Justice and for the judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1929, and for other purposes.



SEATS ON FLOOR OF SENATE AND HOUSE FOR CABINET OFFICERS—  
REFERENCE OF A BILL

Mr. SNELL. Mr. Speaker, I call attention to the bill H. R. 5625, introduced by the gentleman from Virginia [Mr. MONTAGUE], providing that the heads of executive departments may occupy seats on the floor of the Senate and the House of Representatives, which bill has been referred to the Committee on the Judiciary. My object in calling it to the attention of the Speaker at this time is because I believe the bill should have been properly referred to the Committee on Rules, as the bill deals entirely with the rules of the Senate and the House. Rule XXXIII of the House, for instance, provides who shall be admitted to the floor of the House, and Rule XII defines the rights of people such as Delegates who are not Members of the House. I think there is no doubt that the bill should have been properly referred to the Committee on Rules, but it is not my desire or intent to ask that it be rereferred. I merely want to protect the rights of the Committee on Rules in regard to any future bills of this character.

Mr. MADDEN. Mr. Speaker, will the gentleman yield?

Mr. SNELL. Yes.

Mr. MADDEN. If the gentleman does not make the objection now as to the jurisdiction of the committee to which this bill was referred, he would be too late to make it when that committee reported the bill.

Mr. SNELL. I am not going to make any objection, as far as this bill is concerned. I merely rise to call the attention of the Speaker to the situation, and to suggest that in the future such bills be referred to the Committee on Rules.

Mr. MADDEN. Does this bill give the right of debate to Cabinet officers?

Mr. SNELL. Yes.

Mr. MADDEN. I should not think they would want that, although we might like to have some of them here so that we could interrogate them on things they do not know anything about.

Mr. MONTAGUE. Mr. Speaker, will the gentleman yield?

Mr. SNELL. Yes.

Mr. MONTAGUE. I understand from the gentleman from New York that he thinks as a matter of procedure this bill should have the reference he has just indicated, but that, as the lawyers say, he only makes the point for future reference.

Mr. SNELL. That is all.

Mr. MONTAGUE. He does not ask for a rereference of the bill?

Mr. SNELL. I do not.

Mr. MONTAGUE. I may say that is satisfactory to me, although I indicated no preference for a reference of this bill originally. I think the bill has been to two committees and is now before the Committee on the Judiciary.

Mr. BLANTON. Mr. Speaker, will the Chair permit a parliamentary inquiry?

The SPEAKER. Yes.

Mr. BLANTON. If it be the rule that this bill should properly go to the Committee on Rules, and the chairman of that committee not seeing fit to demand his jurisdiction, is not that a matter that any Member of the House can exercise a prerogative in respect to and ask that the rule be enforced?

The SPEAKER. The Chair would recognize any gentleman under the circumstances to ask unanimous consent for a rereference, but the Chair thinks that the Committee on the Judiciary has jurisdiction over a matter of this sort. However, now that the attention of the Chair has been called to the matter, he does not hesitate to say that the Chair thinks that a more proper reference would have been to the Committee on Rules.

Mr. BLANTON. Mr. Speaker, to get a ruling by the Chair, as I am against that bill, and being a little afraid that the influence of the distinguished gentleman from Virginia [Mr. MONTAGUE] might be so strong that the Committee on the Judiciary will favorably report it when probably it would not be so reported from the Committee on Rules—

Mr. SNELL. I wish the gentleman would not make the request at this time.

Mr. BLANTON. I make the point of order in order to get the matter before the Speaker.

Mr. SNELL. I hope the gentleman will withhold it for the present. I think the matter will work out satisfactorily later.

Mr. BLANTON. But after the Committee on the Judiciary reports the bill the gentleman from New York will have lost his rights in the matter.

Mr. SNELL. But they have not reported it as yet.

Mr. BLANTON. But they might report it.

Mr. SNELL. Certainly; they could report anything that was before them.

Mr. BLANTON. In order to get a ruling by the Chair, I make the point of order that that bill is improperly before the Committee on the Judiciary.

The SPEAKER. The Chair would not sustain that point of order. The Chair thinks that the Committee on the Judiciary would have jurisdiction, but the Chair is clear that the reference would be more properly to the Committee on Rules. In default of any action by the Committee on Rules, the Chair thinks the bill had better remain where it is.

PERMISSION TO COMMITTEE ON IMMIGRATION TO SIT DURING  
SESSIONS OF HOUSE

Mr. JOHNSON of Washington. Mr. Speaker, I ask unanimous consent that the Committee on Immigration and Naturalization may sit during the sessions of the House.

The SPEAKER. The gentleman from Washington asks unanimous consent that the Committee on Immigration and Naturalization may be permitted to sit during the sessions of the House. Is there objection?

Mr. GARRETT of Tennessee. Mr. Speaker, I hope the gentleman from Washington will fix a time limit when this committee may do that, and not have it during the entire Congress.

Mr. JOHNSON of Washington. I am willing to modify my request.

Mr. GARRETT of Tennessee. For 30 days.

Mr. JOHNSON of Washington. About that. Give us the month of March.

Mr. GARRETT of Tennessee. I have asked the gentleman, who is chairman of the Committee on Immigration, to limit it to 30 days.

Mr. JOHNSON of Washington. Very well. Mr. Speaker, I modify my request and ask that the committee may sit during the sessions of the House for 30 days.

The SPEAKER. The gentleman from Washington asks unanimous consent that the Committee on Immigration and Naturalization may be permitted to sit during the sessions of the House for the next 30 days. Is there objection?

There was no objection.

## GUARANTY OF BANK DEPOSITS

Mr. HOWARD of Nebraska. Mr. Speaker, I ask unanimous consent to speak for two minutes right now.

The SPEAKER. The gentleman from Nebraska asks unanimous consent to address the House for two minutes. Is there objection?

There was no objection.

Mr. HOWARD of Nebraska. Mr. Speaker, during recent days I have heard many Members of the House speaking almost tearfully about the great losses sustained by their home people through the unfortunate failure of banks, and I have read of large sums of money being carried even by airplanes to bolster up tottering banks. At this moment I desire to explain to all of them an easy way to get rid of all such apprehensions on their part and of all such losses on the part of their constituents.

There is now pending before this House a bill known as H. R. 5576, which provides a law to guarantee the deposits of the people in national banks along the line of the deposit law with reference to State banks in Nebraska, under the administration of which law in 17 years no person has ever lost a dollar.

Now, I want to get this bill passed if I can, but in the meantime I suggest to all my colleagues the advisability of suggesting to their home folks that they should send their deposits to Nebraska, where the bank deposits are guaranteed and where no person has lost or can lose a dollar. [Applause.]

Mr. CHINDBLOM. Can the gentleman tell us who introduced the bill he refers to?

Mr. HOWARD of Nebraska. An eminent member of our State delegation introduced the bill, but a feeling of modesty prevents me from announcing his identity. [Laughter.]

## GEORGE WASHINGTON'S BIRTHDAY

Mr. MOORE of Virginia. Mr. Speaker, I ask unanimous consent to address the House for two minutes.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. MOORE of Virginia. Mr. Speaker, on the 22d of February, in the year 1800, following the death of General Washington in December of the previous year, the anniversary of his birth was celebrated in Alexandria city, and that has been the custom ever since.

On the coming February 22, which falls on Wednesday, there will be such a celebration, marked by more than usually

impressive ceremonies. One of the incidents will be a reception by the Governor of Virginia and Mrs. Byrd of the President of the United States and the other guests who may honor the occasion by their presence. I am requested by the George Washington Birthday Association, a very old association, which was organized about 30 days after the death of Washington, to invite the Members and officers of the House and their wives to attend the approaching celebration. Those of them who find it possible to do so will be most heartily welcomed by the community which was the county seat of Washington's county of Fairfax for most of his active life, which was, as we would now say, his home town, and with which he was more closely and constantly identified than with any other locality. In no other locality are there such vivid and unfading memories of the wonderful soldier and statesman who is everywhere venerated as the master builder of our great Republic. I have no doubt that Governor Byrd, of Virginia, will communicate individually with the Members of the House. [Applause.]

#### NAVAL AIRCRAFT POLICY

Mr. McCLINTIC. Mr. Speaker, I ask unanimous consent to address the House for five minutes.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. McCLINTIC. Mr. Speaker and gentlemen of the House, there appeared in the evening papers of yesterday and the morning papers a news item which quotes Admiral Philip Andrews, of Boston, Mass., as making a statement evidently for the purpose of discrediting Colonel Lindbergh's successful flights. This admiral makes the statement that such flights were 95 to 98 per cent luck. It would seem to the casual observer, and I view it in this manner, as an underhanded rap at Colonel Lindbergh and aviation. This admiral tried to discredit the ability of one of the greatest flyers that the world has ever produced. [Applause.]

Admiral Andrews, in making his unwarranted criticism, does not take into consideration the fact that this flyer has been making daily trips in the air for the past six or seven months, in all kinds of weather, and, in addition, making landings at places where airplanes have never flown before. Colonel Lindbergh has used only one machine in a series of flights—in addition to crossing the ocean—which carried him into every State in the Union, and the remarkable fact about the longest tour ever made in the United States was that the "Lone Eagle of the Air" always arrived at his destination on time. Everyone remembers that a short while ago Colonel Lindbergh flew from Washington to Old Mexico, and after visiting there a few days he began a tour of certain South American countries, which brought him into contact with some of the most difficult obstacles that have ever been faced by any aviator, and I believe I am safe in saying that he arrived on time at every place with the exception of one, where he was delayed on account of fogs. I suppose that this learned admiral would say that these additional flights were 98 per cent luck. It is not luck, but, on the other hand, pluck and the ability to know how to navigate the air.

I would like to know who is it that is sponsoring certain admirals to come out in newspaper articles and throw rocks in the way of criticism at those who are trying to build up not only aviation but in addition the finest international feeling that was ever promoted by any ambassador of this Nation or otherwise. This particular naval officer is not satisfied with taking a fling at Lindbergh and aviation, but in addition he makes certain statements which leave the impression that our two new airplane carriers, costing more than \$80,000,000, will not be successful. Everyone that has kept up with the progress of aviation now knows that there are in the Navy some officers who have done everything in their power not only to discredit aviation but to leave the impression with the public that certain types of ships are more important than this branch of national defense.

During the hearings now being held before the Naval Affairs Committee testimony has been given showing that airplane carriers will be able to combat an enemy with bombing planes for a distance of 200 miles before an attacking ship can get within gun range. If this is true, and it has not been denied, then the most dangerous citizen in the Nation is that class of individuals who are so prejudiced against new, up-to-date appliances of defense as to try to poison the minds of the public in favor of the kind of ships that are now thought by many to be obsolete. I have no patience with any kind of a superannuated officer—be he in the Navy or the Army—who has a mind that can not accept new ideas, and the quicker this Nation can retire such individuals from the service the better off we will be. I believe that the people are getting tired of reading in the papers every

two or three days about some admiral in the Navy trying to discredit some person, some branch of the service, or predicting war with some major nation, all for the purpose of stimulating sentiment in favor of the greatest shipbuilding program in all the world.

I think the country would like the Secretary of the Navy to answer this question: Who is inspiring these admirals to go out whenever an occasion presents itself for the purpose of developing sentiment in favor of this great shipbuilding naval policy? It will be remembered that Admiral Magruder made a suggestion relative to economy in the Navy, and off came his head; but when these other admirals come out for the purpose of molding public sentiment and trying to discredit aircraft and all those connected with it, and the Secretary of the Navy does not act, I feel there is something radically wrong here in Washington, and I think that any admiral who would try to discredit Lindbergh, who has done more for this Nation than any other unofficial representative we have ever had, ought to be dealt with in a way so that we will have no more disgraceful, uncalled-for outbursts. [Applause.]

#### CONSTRUCTION OF PUBLIC BUILDINGS

Mr. ELLIOTT. Mr. Speaker, I call up the conference report on the bill H. R. 278, and ask for its immediate consideration.

The SPEAKER. The gentleman from Indiana calls up the conference report on the bill H. R. 278, which the Clerk will report.

The conference report and accompanying statements were read.

#### CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 278) to amend section 5 of the act entitled "An act to provide for the construction of certain public buildings, and for other purposes," approved May 25, 1926, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1 and 2, and agree to the same.

RICHARD N. ELLIOTT,

FRITZ G. LANHAM,

J. WILL TAYLOR,

*Managers on the part of the House.*

HENRY W. KEYES,

F. E. WARREN,

*Managers on the part of the Senate.*

#### STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 278) to amend section 5 of the act entitled "An act to provide for the construction of certain public buildings, and for other purposes," approved May 25, 1926, submit the following written statement explaining the effect of the action agreed on by the conference committee and submitted in the accompanying conference report:

On amendment No. 1: Makes the amount of annual expenditures of \$35,000,000 available, "beginning with the fiscal year 1928."

On amendment No. 2: Provides that expenditures outside of the District of Columbia under the provisions of section 5 of the public building act of May 25, 1926, shall not exceed \$10,000,000 annually (in lieu of \$5,000,000) in any one of the States, Territories, or possessions of the United States.

RICHARD N. ELLIOTT,

FRITZ G. LANHAM,

J. WILL TAYLOR,

*Managers on the part of the House.*

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

#### WAR DEPARTMENT APPROPRIATION BILL

The SPEAKER. The Clerk will report the first amendment on which a separate vote is demanded.

The Clerk read as follows:

Page 55, line 4, after the word "training," strike out the sign and figures "\$2,125,600" and insert in lieu thereof the sign and figures "\$2,657,000."

The SPEAKER. The question is on agreeing to the amendment.

Mr. BARBOUR. Mr. Speaker, I demand the yeas and nays. The yeas and nays were ordered.



The question was taken; and there were—yeas 268, nays 95, not voting 70, as follows:

[Roll No. 28]

# YEAS—268

Abernethy	Englebright	Kelly	Reed, N. Y.
Allen	Estep	Kemp	Reid, Ill.
Allgood	Evans, Calif.	Kerr	Robinson, Iowa
Almon	Evans, Mont.	Ketcham	Rogers
Andrew	Faust	Kiess	Rowbottom
Arentz	Fenn	Knutson	Rubey
Arnold	Fish	Kopp	Rutherford
Aswell	Fisher	Korell	Sanders, N. Y.
Bacharach	Fletcher	Kurtz	Sanders, Tex.
Bachmann	Fort	Lanham	Sandlin
Bacon	Frear	Lankford	Schafer
Beers	Free	Lea	Sears, Nebr.
Bell	Freeman	Leavitt	Seger
Black, N. Y.	Frothingham	Leech	Shallenberger
Blanton	Fulbright	Leibach	Simmons
Bloom	Fulmer	Lindsay	Sinclair
Bowman	Furrow	Linthicum	Sinnot
Box	Gallivan	Lozier	Somers, N. Y.
Boylan	Gambrell	Lyon	Speaks
Brand, Ga.	Garber	McClintic	Spearing
Brand, Ohio	Gardner, Ind.	McFadden	Sproul, Kans.
Briggs	Garner, Tex.	McKeown	Stalker
Brigham	Garrett, Tenn.	McLeod	Stedman
Britten	Garrett, Tex.	McMillan	Steele
Buchanan	Gasque	McReynolds	Stevenson
Buckbee	Gibson	McSwain	Stobbs
Bulwinkle	Gifford	McSweeney	Strong, Kans.
Burton	Glynn	Major, Mo.	Summers, Tex.
Butler	Golder	Manlove	Swank
Canfield	Goodwin	Mansfield	Sweet
Cannon	Gregory	Martin, La.	Swing
Carew	Green, Fla.	Martin, Mass.	Tarver
Carley	Greenwood	Michener	Tatgenhorst
Carter	Guyer	Miller	Taylor, Colo.
Cartwright	Hadley	Milligan	Temple
Casey	Hale	Montague	Thatcher
Chalmers	Hall, Ill.	Mooney	Thompson
Chapman	Hall, Ind.	Moore, Ky.	Thurston
Chase	Hall, N. Dak.	Moore, N. J.	Tillman
Clancy	Hancock	Moore, Ohio	Timberlake
Clarke	Hardy	Moorman	Treadway
Cochran, Mo.	Hare	Morehead	Underhill
Cohen	Hastings	Morgan	Underwood
Collier	Haugen	Morin	Updike
Colton	Hawley	Morrow	Vincent, Mich.
Corning	Hill, Ala.	Nelson, Me.	Vinson, Ga.
Crail	Hill, Wash.	Nelson, Mo.	Vinson, Ky.
Crosser	Hogg	Norton, Nebr.	Wainwright
Crowther	Hope	Norton, N. J.	Ware
Cullen	Howard, Nebr.	O'Brien	Warren
Curry	Howard, Okla.	O'Connell	Watres
Dallinger	Hudspeth	O'Connor, La.	Weaver
Darrow	Hughes	Oldfield	Welsh, Pa.
Davenport	Hull, Tenn.	Oliver, N. Y.	White, Colo.
Davey	Hull, Wm. E.	Palmer	White, Me.
Denison	Irwin	Palmisano	Whitehead
De Rouen	James	Parker	Williams, Tex.
Dickinson, Mo.	Jeffers	Parks	Wilson, La.
Doughton	Jenkins	Peavey	Wilson, Miss.
Douglas, Ariz.	Johnson, Ind.	Pou	Winter
Douglas, Mass.	Johnson, Okla.	Prall	Wolverton
Drane	Johnson, S. Dak.	Pratt	Woodruff
Drewry	Johnson, Tex.	Ragon	Wright
Driver	Johnson, Wash.	Rainey	Wurzbach
Dyer	Jones	Ransley	Wyant
Edwards	Kading	Rayburn	Yates
England	Kahn	Reece	Yon

# NAYS—95

Ackerman	Cox	Kent	Perkins
Aldrich	Cramton	Kincheloe	Purcell
Andresen	Crisp	King	Quinn
Bankhead	Davis	Kvale	Ramseyer
Barbour	Deal	LaGuardia	Rankin
Beck, Wis.	Dempsey	Letts	Schneider
Beedy	Dickinson, Iowa	Lowrey	Selvig
Berger	Doutrich	Luce	Shreve
Black, Tex.	Elliott	McDuffie	Smith
Bowling	Eslick	McLaughlin	Snell
Browne	Fitzgerald, W. T.	MacGregor	Sproul, Ill.
Browning	French	Madden	Summers, Wash.
Burtness	Green, Iowa	Magrady	Swick
Busby	Griest	Major, Ill.	Taber
Bushong	Hammer	Mapes	Tilson
Byrns	Harrison	Menges	Tinkham
Carss	Hersey	Merritt	Vestal
Chindblom	Hoch	Moore, Va.	Wason
Christopherson	Holaday	Murphy	Watson
Clague	Houston, Del.	Nelson, Wis.	White, Kans.
Cochran, Pa.	Huddleston	Newton	Whittington
Cole, Iowa	Hull, Morton D.	Niedringhaus	Williams, Ill.
Collins	Kearns	Peery	Woodrum

# NOT VOTING—70

Adkins	Celler	Fitzpatrick	Kendall
Anthony	Combs	Foss	Kindred
Auf der Heide	Connally, Tex.	Gilbert	Kunz
Ayres	Connelly	Goldsborough	Lampert
Beck, Pa.	Connolly, Pa.	Graham	Langley
Begg	Cooper, Ohio	Griffin	Larsen
Bland	Dickstein	Hickey	Leatherwood
Bohn	Dominick	Hoffman	Maas
Boies	Dowell	Hooper	Mead
Bowles	Doyle	Igoe	Michaelson
Burdick	Eaton	Jacobstein	Monast
Campbell	Fitzgerald, Roy G.	Johnson, Ill.	O'Connor, N. Y.

Porter  
Quayle  
Rathbone  
Reed, Ark.  
Robison, Ky.  
Romjue

Sabath  
Sears, Fla.  
Sirovich  
Steagall  
Strong, Pa.  
Strother

Sullivan  
Taylor, Tenn.  
Tucker  
Welch, Calif.  
Weller  
Williams, Mo.

Williamson  
Wingo  
Wood  
Zibelman

So the amendment was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Connery (for) with Mr. Graham (against).  
Mr. Rathbone (for) with Mr. Hooper (against).  
Mr. Combs (for) with Mr. Foss (against).  
Mr. Bland (for) with Mr. Cooper of Ohio (against).  
Mr. Burdick (for) with Mr. Begg (against).  
Mr. O'Connor of New York (for) with Mr. Wood (against).  
Mr. Mead (for) with Mr. Anthony (against).  
Mr. Kindred (for) with Mr. Beck of Pennsylvania (against).  
Mr. Jacobstein (for) with Mr. Connolly of Pennsylvania (against).  
Mr. Connolly of Texas (for) with Mr. Johnson of Illinois (against).  
Mr. Romjue (for) with Mr. Michaelson (against).  
Mr. Fitzpatrick (for) with Mr. Strong of Pennsylvania (against).  
Mr. Quayle (for) with Mr. Porter (against).  
Mr. Celler (for) with Mr. Kendall (against).

Until further notice:

Mr. Adkins with Mr. Dominick.  
Mr. Dowell with Mr. Kunz.  
Mr. Roy G. Fitzgerald with Mr. Steagall.  
Mr. Hickey with Mr. Weller.  
Mr. Maas with Mr. Ayres.  
Mr. Leatherwood with Mr. Tucker.  
Mr. Zibelman with Mr. Griffin.  
Mr. Strother with Mr. Williams of Missouri.  
Mr. Robison of Kentucky with Mr. Doyle.  
Mr. Williamson with Mr. Wingo.  
Mr. Campbell with Mr. Gilbert.  
Mr. Lampert with Mr. Dickstein.  
Mr. Eaton with Mr. Goldsborough.  
Mr. Taylor of Tennessee with Mr. Sears of Florida.  
Mrs. Langley with Mr. Auf der Heide.  
Mr. Bohn with Mr. Igoe.  
Mr. Boies with Mr. Sirovich.  
Mr. Welch of California with Mr. Larsen.  
Mr. Bowles with Mr. Reed of Arkansas.  
Mr. Hoffman with Mr. Sabath.  
Mr. Monast with Mr. Sullivan.

Mr. DOUGLASS of Massachusetts. Mr. Speaker, my colleague Mr. CONNERY is unavoidably absent on account of the death of a near relative. If present, he would vote "yea."

Mr. CONNALLY of Texas. Mr. Speaker, I desire to vote.

The SPEAKER. Was the gentleman present and listening when his name was called?

Mr. CONNALLY of Texas. Mr. Speaker, I came in while the roll was being called. I do not know whether my name had been passed or not, and I can not say I was present and listening.

The SPEAKER. The gentleman does not qualify.

The result of the vote was announced as above recorded.

# EXTENSION OF REMARKS

Mr. McCLINTIC. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

# WAR DEPARTMENT APPROPRIATION BILL

The SPEAKER. The Clerk will report the next amendment on which a separate vote is demanded.

The Clerk read as follows:

Amendment offered by Mr. SPEAKS: Page 64, after the comma, in line 9, insert a new paragraph, as follows:

"For every expenditure requisite for and incident to the conduct of the national matches and the maintenance and operation of the Small Arms Firing School held in conjunction therewith as authorized by section 113 (c) of the national defense act (act of June 3, 1916, as amended by the act of June 7, 1924, and February 14, 1927), including procurement and installation of equipment, ammunition, supplies, materials, flooring and frames for tents, construction of shooting galleries, and shelters for rifle practice; nonstructural improvements; repairs and alterations to buildings, water system, sewer and lighting systems; repairs and alterations to equipment and supplies; communication service; pay and allowance of officers and enlisted men of the National Guard participating in the national matches and the Small Arms Firing School from the date of departure from their home to the date of return thereto; pay and allowance of reserve officers called to active duty in connection with the national matches and the Small Arms Firing School; personal and nonpersonal services; subsistence, including commutation of rations to authorized teams from the National Guard, Organized Reserve, Reserve Officers' Training Corps, citizens' military training camps, and civilian teams representing the States, and including the enlisted men of teams from the Regular Army, from the date of departure from their homes or stations to the date of return thereto, at the rate not exceeding \$1.50 per day each; transportation, including repair, operation, and maintenance of motor-propelled and animal-drawn

vehicles; travel of authorized teams representing the Regular Army, National Guard, Organized Reserve, Reserve Officers' Training Corps, citizens' military training camps, and civilian teams representing States, including officers and enlisted men of the Regular Army; travel of commissioned and enlisted personnel of the Regular Army, National Guard, and Organized Reserve on duty in connection with the national matches and the Small Arms Firing School, including mileage of officers; reimbursement of travel expenses or allowance in lieu thereof as authorized by law for officers of the Regular Army and Organized Reserve; travel of civilian employees to and from the national matches, including a per diem allowance in lieu of subsistence while traveling to and from said matches and while on duty thereat; all to be expended under the direction of the Secretary of War, \$500,000."

The SPEAKER. The question is on agreeing to the amendment.

Mr. BLANTON. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 242, nays 118, not voting 73, as follows:

[Roll No. 29]

YEAS—242

Abernethy	Fish	Knutson
Aldrich	Fisher	Kopp
Allen	Fitzgerald, Roy G.	Korell
Allgood	Fletcher	Kurtz
Andrew	Frear	Lanham
Arentz	Free	Lankford
Arnold	Freeman	Lea
Aswell	Frothingham	Leavitt
Ayres	Fulbright	Leibach
Bacharach	Fulmer	Lindsay
Bacon	Furlow	Linthicum
Bell	Gallivan	Lozier
Black, N. Y.	Gambrell	Luce
Blanton	Garber	Lyon
Bloom	Gardner, Ind.	McClintic
Boylan	Garrett, Tenn.	McFadden
Brand, Ga.	Garrett, Tex.	McKeown
Brand, Ohio	Gasque	McLeod
Briggs	Gibson	McMillan
Browning	Gifford	McReynolds
Buchanan	Glynn	McSwain
Buckbee	Golder	McSweeney
Bulwinkle	Gregory	Major, Ill.
Byrns	Green, Fla.	Major, Mo.
Canfield	Greenwood	Manlove
Carew	Guyer	Mansfield
Carley	Hadley	Martin, La.
Carss	Hale	Martin, Mass.
Carter	Hall, Ill.	Merritt
Cartwright	Hall, Ind.	Miller
Casey	Hastings	Milligan
Chalmers	Haugen	Mooney
Chapman	Hawley	Moore, Ky.
Chase	Hill, Ala.	Moore, N. J.
Clancy	Hill, Wash.	Moore, Ohio
Clarke	Hogg	Moorman
Cochran, Mo.	Hope	Morehead
Cohen	Houston, Del.	Morgan
Collier	Howard, Nebr.	Morin
Colton	Howard, Okla.	Morrow
Connally, Tex.	Hudson	Nelson, Mo.
Corning	Hudspeth	Norton, Nebr.
Crail	Hughes	Norton, N. J.
Crosser	Hull, Tenn.	O'Brien
Crowther	Hull, Wm. E.	O'Connell
Cullen	Irwin	O'Connor, La.
Curry	James	Oldfield
Dallinger	Jeffers	Oliver, N. Y.
Davey	Jenkins	Palmer
Davis	Johnson, Ind.	Palmisano
De Rouen	Johnson, Okla.	Parker
Dickinson, Mo.	Johnson, S. Dak.	Parks
Douglas, Ariz.	Johnson, Tex.	Pou
Douglass, Mass.	Johnson, Wash.	Prall
Drane	Jones	Pratt
Driver	Kahn	Ragon
Englebright	Kelly	Rainey
Eslick	Kemp	Ransley
Evans, Calif.	Ketcham	Rayburn
Evans, Mont.	Kless	Reece
Fenn	Kincheloe	Reed, N. Y.

NAYS—118

Ackerman	Chindblom	Garner, Tex.
Almon	Christopherson	Goodwin
Andresen	Clague	Griest
Bachmann	Cochran, Pa.	Hall, N. Dak.
Bankhead	Cole, Iowa	Hammer
Barbour	Collins	Hancock
Beck, Wis.	Cooper, Wis.	Hardy
Beedy	Cox	Harrison
Beers	Crisp	Hersey
Berger	Darrow	Hoch
Black, Tex.	Deal	Holaday
Bowling	Dempsey	Huddleston
Bowman	Denison	Hull, Morton D.
Box	Dickinson, Iowa	Kading
Brigham	Doughton	Kearns
Britten	Doutrich	Kent
Browne	Drewry	Kerr
Burtness	Edwards	King
Burton	Elliott	Kvale
Bushy	England	La Guardia
Bushong	Estep	Lampert
Butler	Faust	Leach
Cannon	Fort	Letts

Rankin  
Robinson, Iowa  
Schneider  
Selvig  
Shreve  
Sinclair  
Snell \*

Sproul, Ill.  
Steele  
Summers, Wash.  
Swick  
Taber  
Tarver  
Thatcher

Tilson  
Timberlake  
Vestal  
Vincent, Mich.  
Wason  
Watres  
Watson

White, Me.  
Whitehead  
Whittington  
Williams, Ill.  
Woodrum

NOT VOTING—73

Adkins  
Anthony  
Auf der Heide  
Beck, Pa.  
Begg  
Bland  
Bohn  
Boies  
Bowles  
Burdick  
Campbell  
Celler  
Combs  
Connery  
Connolly, Pa.  
Cooper, Ohio  
Cramton  
Davenport  
Dickstein

Dominick  
Dowell  
Doyle  
Dyer  
Eaton  
Fitzgerald, W. T.  
Fitzpatrick  
Foss  
French  
Gilbert  
Goldsborough  
Graham  
Green, Iowa  
Griffin  
Hare  
Hickey  
Hoffman  
Hooper  
Igoe

Jacobstein  
Johnson, Ill.  
Kendall  
Kindred  
Kunz  
Langley  
Larsen  
Leatherwood  
Maas  
Mead  
Michaelson  
Monast  
O'Connor, N. Y.  
Porter  
Quayle  
Rathbone  
Reed, Ark.  
Robison, Ky.  
Romjue

Sabath  
Sears, Fla.  
Sirovich  
Stegall  
Strong, Pa.  
Strother  
Sullivan  
Taylor, Tenn.  
Thurston  
Tucker  
Weller  
Williams, Mo.  
Williamson  
Wingo  
Wood  
Zihlman

So the amendment was agreed to.

The Clerk announced the following additional pairs:

On this vote:

Mr. Connery (for) with Mr. Graham (against).  
Mr. Rathbone (for) with Mr. Hooper (against).  
Mr. Combs (for) with Mr. Foss (against).  
Mr. Bland (for) with Mr. Cooper of Ohio (against).  
Mr. Burdick (for) with Mr. Kendall (against).  
Mr. O'Connor of New York (for) with Mr. Wood (against).  
Mr. Mead (for) with Mr. Anthony (against).  
Mr. Kindred (for) with Mr. Beck of Pennsylvania (against).  
Mr. Jacobstein (for) with Mr. Connolly of Pennsylvania (against).  
Mr. Romjue (for) with Mr. Michaelson (against).  
Mr. Fitzpatrick (for) with Mr. Strong of Pennsylvania (against).  
Mr. Quayle (for) with Mr. Porter (against).  
Mr. Celler (for) with Mr. Johnson of Illinois (against).

Until further notice:

Mr. Cramton with Mr. Steagall.  
Mr. French with Mr. Larsen.  
Mr. Begg with Mr. Hare.  
Mr. Green of Iowa with Mr. Dickstein.

Mr. DOUGLASS of Massachusetts. Mr. Speaker, my colleague the gentleman from Massachusetts, Mr. CONNERY, is unavoidably detained on account of the death of a near relative. If present, he would vote "aye."

Mr. FRENCH. Mr. Speaker, I wanted to vote "no," but I confused the bells and thought there would be one more call. I am afraid I can not qualify.

The SPEAKER. The gentleman does not qualify.

The result of the vote was announced as above recorded.

The SPEAKER. The Clerk will report the next amendment. The Clerk read as follows:

Amendment offered by Mr. McDUFFIE: On page 79, line 10, strike out "\$50,000,000" and insert in lieu thereof "\$55,886,310."

The question was taken; and on a division (demanded by Mr. BARBOUR) there were—ayes 160, noes 96.

So the amendment was agreed to.

The bill was ordered to be engrossed, read a third time, and was read the third time.

Mr. COLLINS. Mr. Speaker, I have a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. COLLINS. I am.

The SPEAKER. The gentleman is a member of the committee?

Mr. COLLINS. I am.

The SPEAKER. The Chair recognizes the gentleman from Mississippi to offer a motion to recommit, which the Clerk will report.

The Clerk read as follows:

Mr. COLLINS moves to recommit the bill to the Committee on Appropriations with instructions to forthwith report the same back to the House with the following amendment:

"Add to the end of the bill the following as a section:

"Without authorization by Congress no part of the funds appropriated by this act shall be expended in the transportation of any portion of the armed forces provided for in this act to the territory of a foreign country over which the United States does not possess jurisdiction."

The SPEAKER. The question is on agreeing to the motion of the gentleman from Mississippi to recommit the bill.

Mr. COLLINS. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 125, nays 229, not voting 79, as follows:



## [Roll No. 30]

YEAS—125

Abernethy  
Allgood  
Almon  
Arnold  
Bankhead  
Beck, Wis.  
Bell  
Berger  
Black, Tex.  
Blanton  
Bowling  
Box  
Brand, Ga.  
Briggs  
Browne  
Browning  
Bulwinkle  
Busby  
Canfield  
Cannon  
Carss  
Cartwright  
Casey  
Chapman  
Cochran, Mo.  
Collier  
Collins  
Connally, Tex.  
Cooper, Wis.  
Cox  
Cresser  
Davis

Deal  
Dickinson, Mo.  
Dominick  
Doughton  
Drane  
Edwards  
Eslick  
Evans, Mont.  
Fletcher  
Frear  
Fulbright  
Fulmer  
Gardner, Ind.  
Garner, Tex.  
Garrett, Tenn.  
Garrett, Tex.  
Gasque  
Gregory  
Green, Fla.  
Greenwood  
Hammer  
Hare  
Harrison  
Hastings  
Hill, Ala.  
Hill, Wash.  
Howard, Nebr.  
Howard, Okla.  
Huddleston  
Jeffers  
Johnson, Okla.  
Johnson, Tex.

Jones  
Kading  
Kerr  
Kincheloe  
Kvale  
LaGuardia  
Lampert  
Lankford  
Linthicum  
Lowrey  
Lozier  
Lyon  
McClintic  
McKeown  
McMillan  
McReynolds  
McSwain  
Major, Mo.  
Milligan  
Mooney  
Moore, Ky.  
Moore, Va.  
Moorman  
Morehead  
Morrow  
Nelson, Mo.  
Nelson, Wis.  
Norton, Nebr.  
Oldfield  
Oliver, Ala.  
Palmsano  
Parks

Peavey  
Pou  
Quin  
Ragon  
Rainey  
Rankin  
Rubey  
Rutherford  
Sanders, Tex.  
Sandlin  
Schafer  
Schneider  
Shallenberger  
Sinclair  
Stedman  
Steele  
Summers, Tex.  
Swank  
Tarver  
Tillman  
Underwood  
Vinson, Ky.  
Ware  
Weaver  
Whitehead  
Wilson, Miss.  
Woodrum  
Wright  
Yon

NAYS—229

Ackerman  
Aldrich  
Allen  
Andresen  
Andrew  
Arentz  
Aswell  
Ayres  
Bacharach  
Bachmann  
Bacon  
Barbour  
Beedy  
Beers  
Black, N. Y.  
Bloom  
Bowman  
Boylan  
Brigham  
Britten  
Buchanan  
Buckbee  
Burness  
Burton  
Bushong  
Butler  
Byrns  
Carew  
Carley  
Carter  
Chalmers  
Chase  
Chindblom  
Christopherson  
Clague  
Clancy  
Clarke  
Cochran, Pa.  
Cohen  
Cole, Iowa  
Colton  
Cornling  
Craff  
Cramton  
Crowther  
Cullen  
Curry  
Dallinger  
Darrow  
Davey  
Dempsey  
Denison  
De Rouen  
Dickinson, Iowa  
Douglas, Ariz.  
Douglass, Mass.  
Dontrich  
Drewry

Dyer  
Elliot  
England  
Englebright  
Estep  
Evans, Calif.  
Faust  
Fenn  
Fish  
Fisher  
Fitzgerald, Roy G.  
Fitzgerald, W. T.  
Fort  
Free  
Freeman  
French  
Frothingham  
Furlow  
Gallivan  
Gambrell  
Garber  
Gibson  
Gifford  
Glynn  
Golder  
Goodwin  
Green, Iowa  
Griest  
Guyer  
Hadley  
Hale  
Hall, Ill.  
Hall, Ind.  
Hall, N. Dak.  
Hancock  
Hardy  
Haugen  
Hawley  
Hersey  
Hoch  
Hogg  
Hope  
Houston, Del.  
Hudson  
Hudspeth  
Hughes  
Hull, Morton D.  
Hull, Wm. E.  
Irwin  
James  
Jenkins  
Johnson, Ind.  
Johnson, S. Dak.  
Johnson, Wash.  
Kahn  
Kearns  
Kelly  
Kemp

Kent  
Ketcham  
Kiess  
King  
Knutson  
Kopp  
Korell  
Kurtz  
Lea  
Leavitt  
Leech  
Lehlbach  
Letts  
Lindsay  
Luce  
McDuffie  
McPadden  
McLaughlin  
McLeod  
MacGregor  
Madden  
Magrady  
Major, Ill.  
Manlove  
Mansfield  
Mapes  
Martin, La.  
Martin, Mass.  
Menges  
Merritt  
Michener  
Miller  
Moore, N. J.  
Moore, Ohio  
Morin  
Murphy  
Nelson, Me.  
Newton  
Niedringhaus  
Norton, N. J.  
O'Brien  
O'Connell  
O'Connor, La.  
Oliver, N. Y.  
Palmer  
Parker  
Perkins  
Prall  
Pratt  
Purnell  
Ramseyer  
Ransley  
Reece  
Reed, N. Y.  
Reid, Ill.  
Robinson, Iowa  
Rogers  
Rowbottom

NOT VOTING—79

Adkins  
Anthony  
Auf der Heide  
Beck, Pa.  
Begg  
Bland  
Bohn  
Boies  
Bowles  
Brand, Ohio  
Burdick  
Campbell  
Celler  
Combs  
Connery  
Connolly, Pa.

Cooper, Ohio  
Crisp  
Davenport  
Dickstein  
Dowell  
Doyle  
Driver  
Eaton  
Fitzpatrick  
Foss  
Gilbert  
Goldsborough  
Graham  
Griffin  
Hickey  
Hoffman

Holaday  
Hooper  
Hull, Tenn.  
Igoe  
Jacobstein  
Johnson, Ill.  
Kendall  
Kindred  
Kunz  
Langley  
Lanham  
Larsen  
Leatherwood  
McSweeney  
Maas  
Mead

Michaelson  
Monast  
Montague  
Morgan  
O'Connor, N. Y.  
Peery  
Porter  
Quayle  
Rathbone  
Rayburn  
Reed, Ark.  
Robison, Ky.  
Romjue  
Sabath  
Sears, Fla.  
Sirovich

Steagall  
Stevenson  
Strong, Pa.  
Strother

Sullivan  
Swing  
Taylor, Tenn.  
Tucker

Weller  
White, Colo.  
Williams, Mo.  
Williams, Tex.

Williamson  
Wingo  
Wood

So the motion to recommit was rejected.  
The Clerk announced the following additional pairs:  
On this vote:

Mr. Combs (for) with Mr. Begg (against).  
Mr. Bland (for) with Mr. Sullivan (against).  
Mr. McSweeney (for) with Mr. Weller (against).

Until further notice:

Mr. Connolly of Pennsylvania with Mr. Driver.  
Mr. Rathbone with Mr. Peery.  
Mr. Wood with Mr. Griffin.  
Mr. Cooper of Ohio with Mr. Williams of Texas.  
Mr. Foss with Mr. Connery.  
Mr. Hooper with Mr. Dickstein.  
Mr. Maas with Mr. Hull of Tennessee.  
Mr. Swing with Mr. Stevenson.  
Mr. Porter with Mr. Lanham.  
Mr. Anthony with Mr. Kindred.  
Mr. Brand of Ohio with Mr. Rayburn.  
Mr. Strong of Pennsylvania with Mr. Steagall.  
Mr. Burdick with Mr. Quayle.  
Mr. Davenport with Mr. Crisp.  
Mr. Graham with Mr. Larsen.  
Mr. Johnson of Illinois with Mr. O'Connor of New York.  
Mr. Michaelson with Mr. Montague.  
Mr. Hickey with Mr. Reed of Arkansas.  
Mr. Holaday with Mr. Fitzpatrick.  
Mr. Kendall with Mr. Mead.  
Mr. Morgan with Mr. Romjue.  
Mr. Monast with Mr. Jacobstein.  
Mr. Bowles with Mr. Celler.

The result of the vote was announced as above recorded.  
The SPEAKER. The question is on the passage of the bill.  
The question was taken, and the bill was passed.  
On motion of Mr. BARBOUR, a motion to reconsider the bill was laid on the table.

## DISTINGUISHED VISITORS

The SPEAKER. The Chair desires to state for the benefit of the House that very shortly we will have the pleasure of receiving in the gallery two distinguished French aviators, Lieut. Commander Joseph Lebriz and Lieut. Diendonné Costes. The Chair is sure this will be a matter of interest and that the Members will desire to be present. They are expected some time between 2 and half past 2 o'clock.

## SHENANDOAH NATIONAL PARK

Mr. HARRISON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 2656) to establish a minimum area for a Shenandoah National Park, for administration, protection, and general development by the National Park Service, and for other purposes, and pass the same. A similar House bill (H. R. 8526) has been unanimously reported by the committee and is on the calendar.

Mr. TILSON. Mr. Speaker, may we have the bill reported? The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The question was taken, and the bill was passed.

On motion of Mr. HARRISON, a motion to reconsider the vote by which the bill was passed was laid on the table.

A similar House bill was laid on the table.

## PERMISSION TO ADDRESS THE HOUSE

Mr. JOHNSON of South Dakota. Mr. Speaker, I ask unanimous consent that on Monday next, immediately after the reading of the Journal, I may be permitted to address the House for 30 minutes on the tariff.

Mr. MADDEN. Mr. Speaker, I am going to object to that request. If the gentleman wants time, I will yield him time in general debate.

Mr. TILSON. The gentleman can secure time, as we expect to have general debate going on at that time.

## RESOLUTIONS ADOPTED BY 30 PATRIOTIC ORGANIZATIONS OF WOMEN

Mr. JOHNSON of South Dakota. Mr. Speaker, I have another unanimous-consent request to submit. Last week there was a meeting of 30 patriotic organizations of women, such as the American Legion Auxiliary and the Daughters of the Revolution, who had a meeting in Washington and passed a short set of resolutions. I ask unanimous consent to extend my remarks in the Record by inserting these resolutions in the Appendix.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. JOHNSON of South Dakota. Mr. Speaker, under leave granted me to extend my remarks I insert in the RECORD the following resolutions adopted by 30 patriotic organizations of women who met in the city of Washington February 1 to 3, 1928. This conference, which these women's national patriotic groups hold in the interest of national defense, is an annual affair. They have formed a permanent organization, known as

THE WOMEN'S PATRIOTIC CONFERENCE ON NATIONAL DEFENSE

Their officers at this year's conference were:

Chairman extension committee: Mrs. Alfred J. Brosseau, president general Daughters of the American Revolution, Washington, D. C.

Vice chairman extension committee: Mrs. Robert Walbridge, national president American Legion Auxiliary, Indianapolis, Ind.

Members advisory board: Mrs. Alfred J. Brosseau, chairman, Washington, D. C.; Mrs. Adalin W. Macauley, vice chairman, Menomonie, Wis.; Mrs. Lucia R. Maxwell, secretary, Washington, D. C.; Mrs. Albert G. Mang, treasurer, Chicago, Ill.; Mrs. George T. Guernsey, Independence, Kans.; Mrs. Henry B. Joy, Grosse Pointe Farms, Mich.; Mrs. H. H. McCluer, Kansas City, Mo.; Mrs. Flo Jamison Miller, Monticello, Ill.; Mrs. Mary Logan Tucker, Washington, D. C.

Chairman credentials committee: Mrs. Henry B. Joy, Grosse Pointe Farms, Mich., of the Daughters of 1812.

Chairman resolutions committee: Mrs. John Laidlaw Buel, Litchfield, Conn., of the Daughters of the Founders and Patriots.

Chairman program committee: Mrs. Mary Logan Tucker, Washington, D. C., of the Ladies of the Loyal Legion.

ORGANIZATIONS PARTICIPATING

American Legion Auxiliary; Mrs. Robert Walbridge, national president, Indianapolis, Ind.

American War Mothers; Mrs. Thomas Spence, national president, Milwaukee, Wis.

American Women's Legion; Mrs. Raymond S. Patton, president, Washington, D. C.

National Auxiliary United Spanish War Veterans; Mrs. Margaret M. Manion, president, Milwaukee, Wis.

Colonial Daughters of the Seventeenth Century; Mrs. J. Morton Halstead, president, Brooklyn, N. Y.

Daughters of the American Colonists; Mrs. George T. Guernsey, president, Independence, Kans.

Daughters of American Revolution; Mrs. Alfred J. Brosseau, president general, Washington, D. C.

Daughters of the Colonial Wars; Mrs. Frank D. Ellison, president, Boston, Mass.

Daughters of the Revolution; Mrs. Henry T. Kent, president, Philadelphia, Pa.

Government Club of Chicago; Mrs. Frederick W. Bentley, president, Chicago, Ill.

Ladies' Auxiliary, Veterans of Foreign Wars of United States; Mrs. Edward A. Stark, Camden, N. J.

Ladies of the Grand Army of the Republic; Mrs. Maybell Ross, president, Chicago, Ill.

National Society Dames of the Loyal Legion; Mrs. Mary Logan Tucker, president, Washington, D. C.

National Society Daughters of the Founders and Patriots; Mrs. John L. Buel, president, Litchfield, Conn.

National Society of New England Women; Mrs. A. Willis Byrne, president, Hartford, Conn.

National Society United Daughters of 1812; Mrs. Samuel Z. Shope, president, Narberth, Pa.

Order of the First Families of Virginia; Mrs. Henry L. Cook, president, Milwaukee, Wis.

Women of the Army and Navy Legion of Valor; Mrs. William D. Rock, president, Philadelphia, Pa.

Women's Constitutional League of Virginia; Mrs. Edward B. Cameron, president, Newport News, Va.

Women's Naval Service; Mrs. George Barnett, president, Washington, D. C.

Women's Overseas Service League; Miss Lena Hitchcock, president, Washington, D. C.

Women's Relief Corps; Mrs. Emma W. Campbell, president, Minneapolis, Minn.

National Patriotic Council; Mrs. Noble N. Potts, president, Washington, D. C.

Daughters of the Union Veterans of the Civil War, Miss Agnes I. McCoy, president, Fall River, Mass.

National Society of Colonial Daughters of America, Mrs. Charles A. Pauley, president, Cincinnati, Ohio.

National Society Patriotic Builders of America (Inc.), Mrs. William Cummings Story, president, New Rochelle, N. Y.

Society of Sponsors of United States Navy, Mrs. Russell C. Langdon, president, New York City.

New York Colony of New England Women, Mrs. Stanley L. Otis, president, New York City.

Wisconsin Department, Service Star Legion.

National Society of the Daughters of the Union, 1861-1865.

No. 1

RESOLUTION ADOPTED

Whereas activities, movements, campaigns, and crusades are being organized under the specious titles of—

"Remedy of war,"

"Making the ballot count,"

"Promoting international righteousness,"

"Rebuilding the postwar world,"

"Stimulating the socialistic theory of 'production for use and not for profit,'"

"Young Pioneers":

Therefore be it

*Resolved*, That the organizations represented in the Women's Patriotic Conference on National Defense urge their members for their own protection to rigidly examine the aims and objectives of all such activities before aligning themselves in tangible or intangible support thereof and that they question themselves in the following manner:

Where are we being led?

Who leads us?

Do we investigate an organization before joining it?

Do we contribute to causes without examining their motives?

Do we lend our names as patronesses without ascertaining ways in which they are to be used?

Do we grant the use of our homes to so-called liberals for "betterment meetings," "international programs," "fellowship discussions," and the like?

Do we entertain "emissaries of radicalism" unawares?

Do we sign petitions calling for action by governmental authorities without finding out whether such action may be considered as undue "meddling" with the management of governmental affairs?

Do we deluge our Senators and Representatives with telegrams and letters at the request of so-called peace movements?

What type of resolutions are our communities passing? What organizations quote and make use of these resolutions to influence public opinion?

How much study do we give to national defense?

Do we give sufficient thought and study to legislative measures before endorsing them?

Do we vote?

Do we urge the conservative and apathetic people of our community to vote?

Who teaches our children?

What are they taught?

Where do they spend their leisure hours?

What organizations attempt to recruit them?

Do they take student tours, attend summer conferences and camps, and travel in youth caravans? If so, under what guidance and escort?

What view do they take of marriage? Of religion?

FEBRUARY 3, 1928.

COMMITTEE.

No. 2

ADEQUATE NAVY REQUESTED

Whereas the United States Navy has been the pride of the American people and the handmaiden of American liberty throughout our history, and valiantly performed its duty of keeping our shores free from invasion; and

Whereas the safety of this Nation depends primarily upon our first line of defense, the United States Navy, to protect our shores and keep off all comers with hostile or avaricious intent; and

Whereas it is the duty of every American citizen to see that the United States Navy is prepared for this great mission in an adequate manner and manned by a personnel of officers and men worthy of the traditions established by John Paul Jones, Lawrence, Porter, Farragut, Decatur, and Dewey, pledged to devotion to duty and the commission of valorous deeds; and

Whereas the safety of the Nation and of these brave men and lads in Navy blue depends on the building of real ships of the most modern type, not only as preparation for national defense but as peace insurance: Therefore be it

*Resolved*, That the Third Women's Patriotic Conference on National Defense, assembled in Memorial Continental Hall, Washington, D. C., this day, February 3, 1928, put itself on record as standing firmly in favor of an adequate Navy and merchant marine for the United States of America, inferior to none, and in keeping with the population, wealth, and resources of this Nation, so that in case of aggression we will be able to not only defend our shores and homes but to maintain those high principles of "life, liberty, and the pursuit of happiness" for each individual, established by the founders of this Republic; and



*Resolved*, That we indorse the pending Navy program in Congress, including the building of 5 airplane carriers, 25 cruisers, 9 destroyer leaders, and 35 submarines, and the naval aviation building program sufficient to equip these vessels adequately and the immediate construction of the 2 rigid airships for the Navy already authorized by Congress.

THE WOMAN'S NAVAL SERVICE,  
Mrs. GEORGE BARNETT.  
Mrs. GIBSON FAHNESTOCK.  
Mrs. JAMES M. THOMSON.  
Miss NATALIE SUMNER LINCOLN.  
Mrs. VYLLA POE WILSON.  
Miss ELISABETH E. POE.

FEBRUARY 3, 1928.

No. 3

#### MERCHANT MARINE UPHELD

Whereas the merchant marine of the United States is an integral part of the Navy calculations during wars; and

Whereas it is necessary for the national defense that the United States possess a large and prosperous merchant marine to serve as an auxiliary of the Navy in time of peril; and

Whereas this can best be accomplished by building up our merchant shipping in time of peace, carefully seeing to it that American foreign commerce is transported in ships owned and manned by American citizens and flying the American flag, to the end that in time of emergency we shall be able, promptly and effectually, to uphold our rights upon the seas: Now therefore be it

*Resolved*, That the Women's Patriotic Conference on National Defense, in session at Washington, D. C., this 3d day of February, 1928, places itself on record as strongly favoring the permanent maintenance of adequate American steamship service on routes essential to American trade; that it believes this is for the interest of the people of the United States, and urges Congress, in furtherance of the national desire to promote and foster an American merchant marine, to continue its moral and material support of the laudable work of the United States Shipping Board in keeping the American flag upon the seas.

FEBRUARY 3, 1928.

No. 4

#### GET OUT THE VOTE

Whereas many invidious schemes for "political education" are likely to be initiated during the coming election season, such as subtle propaganda by radio to discredit American principles or no less cleverly designed though more openly practiced agitation to influence the woman's vote: Therefore be it

*Resolved*, That every member of every organization represented at the Women's Patriotic Conference on National Defense be urged to counteract any such propaganda by renewing her allegiance to national ideals, by refreshing her knowledge of the United States Constitution, and by pledging herself not only to vote constructively but to help get out the conservative vote of the Nation.

FEBRUARY 3, 1928.

No. 5

#### IMMIGRATION RESTRICTION APPROVED

Whereas the immigration act of 1924, passed by an overwhelming vote in both Houses of Congress in response to the nation-wide demand of the American people, was a well-considered and statesmanlike measure for restricting immigration to the United States, and provided a fair basis for apportioning the immigration still permitted in accordance with the present composition of the American people; and

Whereas the total annual immigration legally admitted to the United States, now about 450,000, without counting the great illegal immigration, remains far too large; and

Whereas it is generally conceded that quota restrictions should be extended to Mexico, the West Indies, and the countries of Central and South America, from which we are receiving a large unassimilable immigration detrimental to American labor; and

Whereas the illegal entries of aliens over our land borders and into our seaports are continuing on a large scale, there is need of much larger appropriations by Congress to check this evil and also to deport the thousands of alien criminals and others already now in the country who are subject to deportation under our laws: Therefore be it

*Resolved* by the Women's Patriotic Conference on National Defense, representing 30 patriotic organizations, assembled in Continental Memorial Hall, at Washington, D. C., on this 3d day of February, 1928, That we urge upon Congress the continuance of the basic provisions of the immigration act of 1924, including the national-origins system, as the permanent basis for apportioning the quotas; the extension of quota restrictions to Mexico, the West Indies, and the countries of Central and South America; the decrease of the total quota immigration in accordance with the principle of national origins; the enactment of more strict legislation, supported by adequate appropriations, to effect the deportation of aliens who have surreptitiously entered the country, or who have succeeded in evading our laws designed to exclude the dangerously criminal and insane; and be it further

*Resolved*, That copies of these resolutions be sent to the chairman of the House Immigration Committee.

FEBRUARY 3, 1928.

No. 6

#### OLD IRONSIDES FUND

Whereas the aid of fraternal and patriotic organizations throughout the country has been asked in promoting the campaign to save the U. S. S. *Constitution*, familiarly known as *Old Ironsides*: Therefore be it

*Resolved*, That we, the Women's Patriotic Conference on National Defense individually, so far as possible, assist in this work by helping in the sale of the prints of a painting of the ship by Gordon Grant, or by personal contributions to the \$750,000 fund needed for the saving of this ship—*Old Ironsides*—remembered for its great historical and patriotic significance.

FEBRUARY 3, 1928.

No. 7

#### INCREASE THE RESERVES

Whereas we recall that President Coolidge in an annual address said that "Our country reports nothing but peaceful intentions toward all the earth, but it ought not to fail to maintain such a military force as comports with the dignity and security of a great people. It should be a balanced force, intensely modern, capable of defense by land and sea, beneath the surface and in the air." And that further word of his is embodied in an annual message that "For several years we have been decreasing the personnel of the Army and Navy, and reducing their power to the danger point. Further reduction should not be made. The Army is a guaranty of the security of our citizens at home"; and

Whereas reliance by the American people upon the national defense act as a safe defense policy is justified only so far as that policy is carried into effect; and

Whereas the Chief of Staff of the United States Army estimates that 220,000 reserve officers are needed to function the six-field-Army mobilization plan of the War Department; and

Whereas at this time there are but about 110,000 reserve officers; and Whereas there are only about 16,000 of these reserve officers trained annually: Therefore be it

*Resolved*, That the Women's Patriotic Conference on National Defense indorse the plan contemplated by the national defense act of having trained in peace time a sufficient number of reserve officers to train and command a draft Army on the basis of the War Department's present mobilization plans of six field armies in the event of national emergency.

FEBRUARY 3, 1928.

No. 8

#### R. O. T. C. AND C. M. T. C.

Whereas the Women's Patriotic Conference on National Defense recognizes and appreciates the patriotic service of the National Guard of the various States; Therefore be it

*Resolved*, That we express to them our sense of security resulting from their traditional and continued protection of our homes and cherished institutions; and be it further

*Resolved*, That we uphold the training of our youth in the Reserve Officers' Training Corps and in the citizens' military training camps as giving to the Nation the highest exemplification of strong American manhood.

FEBRUARY 3, 1928.

No. 9

#### DISABLED EMERGENCY ARMY OFFICERS

Whereas of the nine classes of officers who fought the World War eight have been granted retirement by the Congress, although the ninth, the disabled emergency Army officers, which suffered the greatest battle casualties and severest wounds and disabilities, has not yet been granted this retirement; and

Whereas the Tyson-Fitzgerald bills to make such retirement effective are now pending in the Senate and the House: Therefore be it

*Resolved*, That this Third Women's Patriotic Conference on National Defense earnestly requests the Congress to enact this just legislation at the present session of Congress.

FEBRUARY 3, 1928.

No. 10

#### MILITARY AVIATION

Whereas the five-year Army air program, provided under the act of July 2, 1926, provided for an annual increment of 1,248 enlisted men, in addition to increased officer personnel; and

Whereas in neither enlisted nor officer strength have the provisions of this act been maintained; and

Whereas this conference believes that the relative importance of the air force is increasing rather than decreasing: Therefore be it

*Resolved*, That the Congress and the War Department be requested to find ways and means of rectifying this situation; and be it further

*Resolved*, That this Third Women's Patriotic Conference on National Defense looks with favor upon the creation of an adequate air force at such time in the future as this may be expedient.

FEBRUARY 3, 1928.

#### No. 11

##### UNIVERSAL DRAFT

Whereas the Capper-Johnson bill to provide the universal draft in the event of war has now been repeatedly introduced during the last five years; and

Whereas this legislation is first of all a peace measure, in that it would make war less likely to occur; it is a national defense measure, in that all elements of the Nation would serve without profit in the event of war; it is a measure of simple justice, as it would tend to eliminate slackers and profiteers; Therefore be it

*Resolved*, That we, the Third Women's Patriotic Conference on National Defense, urge the Military Affairs Committees of the Senate and the House to report these measures favorably to their respective bodies, so that in the event of another war there may be equal service by all and special privilege for none, and profit be definitely taken out of war.

#### No. 12

##### HOSTESSES

Whereas the Army hostess service maintained by civilian organizations during the World War, taken over from them and supported by the Army since that time, has proved to be not only a very important factor in providing for the contentment, well-being, and general welfare of the enlisted men in the Army and their families, and also in promoting a closer cooperation between the civilian communities and the Army posts where hostesses are employed in recreational and other activities; and

Whereas this service has very seriously diminished since it has been dependent upon Government money instead of funds provided by civilian organizations; and

Whereas we believe such welfare work is even more necessary to the soldiers and their families than it is to employees of large civilian organizations, owing to the isolated conditions of a soldier's life; and

Whereas we believe that one or more hostesses should be at every summer camp where young boys are being trained, and where they are often away from home for the first time: Now therefore be it

*Resolved*, That the Women's Patriotic Conference on National Defense now in conference assembled does unqualifiedly indorse this valuable service and urge the Secretary of War to give these hostesses a permanent military status, and to increase the number so that every important post and every summer training camp shall have at least one trained Army hostess; and be it further

*Resolved*, That this conference urge its members to request their Representatives and Senators in Congress to work for a congressional appropriation of not less than \$75,000 for this service.

#### No. 13

##### CHEMICAL

Whereas the surprise attack on the allied armies, April 22, 1915, with chemical-warfare materials very nearly resulted in complete disaster for the allied cause; and

Whereas unpreparedness in any powerful means of waging war is an invitation to attack and surprise by that method; and chemical warfare demonstrated in the World War its very great power: Therefore be it

*Resolved by the Women's Patriotic Conference on National Defense*, That it reaffirm the action taken in 1927 in urging the continued full support of the Chemical Warfare Service and in deploring all attempts to destroy that valuable part of our national defense, the necessity for which was so fully recognized during the World War.

#### No. 14

##### THE STAR-SPANGLED BANNER

Whereas the Star-Spangled Banner, words by Francis Scott Key and music by John Stafford Smith, has been declared the national anthem by the regulations of the Army and Navy for the past 100 years, and has been enshrined as such in the hearts of the American people: Be it

*Resolved*, That this Women's Patriotic Conference on National Defense, consisting of 30 national patriotic organizations, do petition the Congress of the United States of America to establish the Star-Spangled Banner as the national anthem of this country by passing bill H. R. 206.

#### No. 15

##### SCHOOL TEXTBOOKS ON AMERICAN HISTORY

Whereas attempts are being made to expunge from our school histories all references to war and heroism in battle; to ignore the honor due to the great soldiers and sailors of the Nation; to stress internationalism in place of national loyalties; to belittle those who have fought and died that this Nation might live; and to exalt at their expense the so-called "heroes of peace"; and

Whereas we feel that the truths of history, both military and civil, should never be thus tampered with in order to advance the interests or opinions of any section of our people; and

Whereas we feel that love of our own country, respect for its laws and institutions, and reverence for its heroes of peace and war should be instilled into the minds of our youth, but without arousing bitterness against any other country: Therefore be it

*Resolved*, That we disapprove all such attempts to falsify our history, and that we recommend to each organization comprising this Women's Patriotic Conference on National Defense that it appoint a committee to make rigid investigation into conditions in the schools relative to the teaching of American history and the books in use.

*Resolved*, That we request the members of this conference to urge a law in their respective States requiring all teachers in public and private schools to take the oath of allegiance to the United States of America.

#### No. 16

##### SOVIET RUSSIA

Whereas the plan promulgated in the constitution and decrees of the present Soviet Government of Russia for a world revolution to destroy all existing "capitalist governments" and do away with the hated "bourgeoisie class" through "red revolution" is not a myth but a proven fact; and

Whereas the emissaries are working unceasingly to spread their propaganda for "peace" through abolition of military training and total disarming of all capitalist nations, including the United States, destruction of courts, fostering discredit of the officials and institutions of our Government, particularly its foreign policy; and

Whereas a campaign is well on its way with paid organizers to mobilize children into "young communist groups," into the "youth movement," into "young communist leagues," "young pioneers," etc., to organize communist group units within the United States military units, to establish industrial "nuclei" in every industry—railways, mills, factories, munition plants—capable and ready to take command and defeat the United States mobilization plans when their revolution is ripe, or when capitalist nations are disarmed; and

Whereas units of the Communist (International) Party in America are increasing at a tremendous rate, sweeping thousands of unsuspecting "pacifists" into unwitting (or knowing) cooperate with their program, disguised as "peace plans" and loudly proclaiming for recognition of Soviet Russia in order that their uncensored folio may come in under "diplomatic immunity to search," whereby propaganda centers could be set up in the consulate of every American city to great advantage of the present soviet régime; and

Whereas there is no way of knowing where the "boundaries" of this so-called soviet nation are (inasmuch as they are as wide as the territory occupied by the "proletariat" or laboring class), any one of the republics of the federation having a right under their constitution to decree itself out of the union when it wishes to escape an international obligation:

*Resolved*, That the Women's Patriotic Conference on National Defense go on record as opposing the recognition of Soviet Russia by the Government of the United States; and further be it

*Resolved*, That the representatives of the various organizations participating in the Women's Patriotic Conference on National Defense here convened send out a rousing call to their respective groups to organize a definite campaign to counteract activities and influences of menacing forces now within our gates and to prevent others entering; and be it further

*Resolved*, That all the organizations here represented be urged to establish substantial funds for the use of their respective committees intrusted with the vitally important task of cooperation for national defense against such well organized and well financed enemies.

#### No. 17

##### FLAG CODE

Whereas the red, white, and blue of the flag enfolds the very spirit and vitality of our Republic; and

Whereas age has been taught to revere "Old Glory"; and

Whereas youth should look upon it as worthy of supreme devotion and repudiate all attempted substitutes of green esperanto flags, peace flags, and red flags: Therefore be it

*Resolved*, That the Women's Patriotic Conference on National Defense go on record as indorsing House Joint Resolution 11, to adopt an official flag code of the United States.

#### No. 18

##### THE CONSTITUTION UPHELD

Whereas we, the members of the Women's Patriotic Conference on National Defense, wish to place ourselves on record as firm supporters of the Constitution of the United States, acknowledging it to be the greatest safeguard of human liberty ever given to mankind; and

Whereas we pledge ourselves, individually and collectively, to defend and uphold the Constitution by rendering loyalty to its sentiments, obedience to its provisions, and by holding its principles sacred and inviolable: Therefore be it

*Resolved*, That we urge the people of the United States to guard against the substitution of bureaucracy for democracy, paternalism



for individual and community responsibility, centralized authority for local self-government, which substitution would undermine American principles of government ordained and established by the Constitution of the United States.

FEBRUARY 3, 1928.

No. 19

#### TEACH THE CONSTITUTION

Whereas knowledge and understanding of our system of government is the greatest safeguard of our institutions; and

Whereas there are eight remaining States whose legislatures have not passed a law making the teaching of the United States Constitution compulsory: Therefore, be it

*Resolved*, That the Third Women's Patriotic Conference on National Defense go on record as indorsing such a law in these eight States, and that we pledge ourselves to work for its adoption.

FEBRUARY 3, 1928.

#### ADJOURNMENT OVER

Mr. TILSON. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet next Monday.

Mr. GARRETT of Tennessee. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Connecticut whether it is contemplated that District of Columbia business shall be considered next Monday?

Mr. TILSON. No; the Treasury and Post Office Departments appropriation bill, which will be considered during the remainder of to-day, will go on next Monday. It is a privileged bill and as unfinished business will be in order on Monday. We hope to give the District another day later on.

Mr. GARRETT of Tennessee. There has been some inquiry about District business.

Mr. TILSON. It would be in order next Monday, but the appropriation bill as unfinished business would have the right of way.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

#### TREASURY AND POST OFFICE DEPARTMENTS APPROPRIATION BILL

Mr. MADDEN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 10635, the appropriation bill for the Treasury and Post Office Departments. Pending that I ask unanimous consent that the control of general debate be divided between the gentleman from Tennessee and myself until we finally reach a time when we can agree on a limit of debate.

The SPEAKER. The gentleman from Illinois moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 10635, the appropriation bill for the Treasury and Post Office Departments, and pending that he asks unanimous consent that general debate for the time being be equally divided and controlled by himself and the gentleman from Tennessee. Is there objection?

There was no objection.

The motion of Mr. MADDEN was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union, with Mr. MICHENER in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the consideration of the bill of which the Clerk will read the title.

The Clerk read the title, as follows:

A bill (H. R. 10635) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1929, and for other purposes.

Mr. MADDEN. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MADDEN. Mr. Chairman, I yield 15 minutes to the gentleman from Pennsylvania [Mr. KELLY].

Mr. KELLY. Mr. Chairman and gentlemen of the House, the bill under consideration deals with appropriations for the Post Office Department. It carries \$764,000,000 for the biggest business on earth.

There is one paragraph in the report submitted by the distinguished chairman of this committee [Mr. MADDEN] to which I wish to direct your attention. It is found on page 29 and is as follows:

In connection with the figures of receipts, expenditures, and deficits of the Post Office Department attention should be called to the fact that

the figures as presented, while they depict the situation in a fairly accurate manner, do not give a portrayal of the cost of the service on the same basis as a private business. Whether it is ever possible or desirable to attempt to set up an accounting system in a Government activity similar to that which would prevail if the activity were in private ownership is always a debatable factor, due to the difference in the ends sought to be accomplished by the Government and private business—one striving for profit and the other for service to its people. Progress is being made and very valuable information is being furnished in connection with the cost-ascertainment investigations of the department. While some of the costs revealed by these reports may be said not to be a proper charge against the Post Office Department, there should be recalled that the Post Office Department receives some advantages from its Government status which are not reflected in its expenditures. Chief among these is the space occupied by postal facilities in Government-owned buildings, of which there are 1,400 or more throughout the United States. A further program of building construction is authorized, which, under pending legislation, would bring the total up to \$200,000,000 for new structures, in which a very large proportion of the space will be devoted to postal needs.

There is in this statement an accurate distinction between the Post Office Department and private business—

One strives for profit and the other for service to its people.

The greatest difficulty right now as to the post-office establishment is due to the fact that we have been attempting to operate it on both policies—profit and service. The result is a confusion, which will never be remedied until we make a straight-out declaration as to the service policy of the Post Office Department and act on that principle.

I am gratified that the Appropriations Committee has suggested this vital matter in its report. I would paraphrase one sentence in the paragraph I have read and make it read: "Due to the difference in the ends sought to be accomplished by the post office and private business—one striving for profit and the other for service of its people—the accounting system used by the Post Office Department should not be such as to hinder service to the people."

The present accounting does not show a true picture. In the balance sheet are items which are not understood to be free and partly free projects adopted by Congress, not as postal operations but as public-service provisions.

Mr. Chairman, there is only one feature of the yearly report of postal finances which is known to the public. That is the so-called deficit. But any consideration of that brings up the whole question of postal finances, which is a dry-as-dust subject to the average person. I defy any Member of Congress here to even read through the complicated, involved, tabulations in the cost-ascertainment report for 1927, which has been submitted by the department.

Yet United States postal finances are of vital concern in the consideration of the biggest business on earth. It handles 25,000,000,000 pieces of mail matter every year and carries 337,000,000 messages from residents of this country to friends and relatives in all the lands on the globe. It is the greatest agency of intercommunication ever devised. How important it is may be judged by the statement of Bryce in his classic treatise on "The American Commonwealth." In it he declared that the factor which makes us a united Nation "is the means of internal communication that holds the country together and renders it one for all social and political purposes as well as for commerce."

That such a mammoth public-service enterprise should be based upon a dollar-and-cent balance sheet is so absurd that Congress can not even attempt to act upon it. The real fact is that the present balance sheet itself furnishes the absurdity. Many times Congress has builded wiser than it knew, by paying no attention whatever to it.

What is the so-called postal deficit? Well, to judge from its prominence in department reports and in newspaper headlines one would judge that it is the one outstanding feature of this colossal business. The opening paragraphs of the Postmaster General's report for 1927 emphasize the deficit of some \$28,000,000. Every newspaper in the land chronicled the deficit with such heads as that in the Washington Post: "Postal operations conducted at \$28,000,000 loss." Others were "Post Office behind many millions in 1927," "Huge deficit in Postal Service," "Post Office fails to break even by \$28,000,000."

The comments on the report ranged from characterization of the deficit as proof of extravagance and inefficiency to a declaration that the Post Office is a bankrupt business.

Such statements are grossly unfair to the Congress that makes appropriations, to the department that administers them, and to the postal personnel, the most efficient body of workers ever organized into a unit for cooperative efforts.

There is not a deficit of \$28,000,000 in postal operations. There is a large surplus instead in postal operations. The so-

called deficit, which looms so large, is due solely and wholly to free and partly free services which are given because Congress has made use of the great nation-wide postal organization in advancing the common welfare.

The cost of these policies is exactly on a par with expenditures for the Department of Commerce or the Department of Agriculture. No one points to a deficit in these departments, but to do so would be just as logical as in the case of the Post Office.

Let us analyze this so-called deficit. First there is the franking and penalty privilege, through which officials of the Government send without postage charge information as to the conduct of public affairs. It is a vital function, which should not be discontinued or even curtailed, but it is not a postal operation.

The Post Office Department informs me that the revenues which would be derived from the penalty mail sent by various departments would be \$14,501,208, and that the actual cost of handling it is \$6,263,620.

The franked mail sent out by Members of Congress and others at regular rates would bring in \$532,652, and the actual cost to the department is stated as \$520,691.

Therefore, in the so-called deficit there is at least \$6,784,311, which is the bare cost of the service.

Second, Congress has directed for 75 years that small county newspapers should be sent within the county of publication to offices where there is no delivery without payment of postage. Not a cent is secured by the Post Office Department for this service. According to a department statement, the estimated cost is \$9,000,000 a year.

That means that there should in all fairness be a reduction of the so-called deficit by \$9,000,000. By no stretch of the imagination can such a policy be called a postal operation.

Third, in order to encourage the circulation of religious, fraternal, and similar publications not published for profit, Congress has established a special flat rate of 1½ cents a pound for such publications. This rate applies to advertising portions as well as reading matter.

There are more than 6,000 of these periodicals going through the mails at a rate which pays only a fraction of the actual cost of handling. It is a public-welfare project, which may or may not be justified, but it is in no sense a postal operation to be charged against postal revenues.

The Post Office Department informs me that the actual loss through such a policy is \$16,000,000 a year. It makes up more than half of the reported deficit for last year. By any business system of bookkeeping it should be subtracted from the so-called deficit.

Fourth, Congress has adopted a ship-subsidy policy in connection with foreign mail. It is a worthy American policy in connection with the maintenance of a merchant marine. But it has no connection with actual postal operations, since the service would be performed by foreign vessels at one-half the cost. We should admit honestly that it is a policy for the encouragement of United States shipping. We should most assuredly not assess it against postal revenues.

The Post Office Department states that this policy costs \$3,600,000 a year. That sum should be subtracted from the so-called deficit.

Fifth, Congress has decided that as a philanthropic measure publications in raised letters for the use of the blind shall go through the mails without payment of postage. This is no postal operation. It is a gift to the blind, with the post-office establishment made the agency for the gift. The department informs me that the actual cost is \$32,000 a year.

Mr. Chairman, here are five distinct governmental projects being carried out very properly through the Postal Service, the nation-wide agency of communication. Not one of them is as logical a postal operation as the construction of good roads, which no one would charge to postal revenues. They are public-welfare projects, and any post-office deficit built up out of them is a sham and delusion.

The actual cost of these five projects, according to the most conservative estimate of the department, is \$35,426,000. This completely offsets the \$28,000,000 reported deficit and leaves a substantial surplus instead. Any sensible accounting system would show this state of affairs in this great service department.

In dealing with this phase of postal finances I must add that there is another item which in my estimation is unfairly charged against postal revenues. I admit that it does not stand on all fours with the other items I have discussed, but in reality it is a public-welfare measure rather than a postal operation. I refer to the inevitable loss, after the most generous allowance for its part in postal operations, due to the rural free delivery.

This service is on a different basis than city delivery, Railway Mail Service, and other similar operations. These latter form the most economical method of handling the mails, and if a profit-making corporation were to take over the service these organizations would be continued exactly as at present.

Not so with rural free delivery. A profit-making company would slash it off at one stroke, and in so doing would reduce expenses more than \$100,000,000. The express company delivers in the cities because it is cheaper to do that than to provide storage and clerical help to deliver all goods at the office. It compels the rural dweller to come to town for his express shipment because it is more economical than to deliver the goods to him. Exactly the same system would apply if the Postal Service were to be run on a profit-making basis.

However, Mr. Chairman, no good American wishes to curtail the Rural Free Delivery Service. I would extend it until every farmer and dweller in rural communities receive speedy and complete service. I believe the money expended is for the public welfare. It is true, also, that if mail were handled on these routes up to capacity the loss could be greatly diminished.

At present giving the Rural Free Delivery credit for every penny of postage on mail originating on the routes and half the revenues on all matter delivered, and using the figures in the Postmaster General's report for 1927, there would be a loss of \$48,613,000 on the year.

Suppose we omit this entirely and leave it to be considered as a postal operation and nothing else. I have already shown that there is still a surplus instead of a deficit.

Is it not apparent, Mr. Chairman, that by any fair system of postal accounting the postal deficit is a myth and a delusion? It is not a fact but a state of mind. If postal policies are to be built on a false basis, the entire structure is certain to be out of plumb.

That is exactly the situation. Here is no mere technicality of accounting but a fundamental disorder which affects the entire postal system. The person unfamiliar with the true state of affairs says, "Why so much concern over a bookkeeping trifle? If there is a deficit, it comes out of the United States Treasury, just the same as if you charged the items against the Treasury in the first place. What real difference does it make?"

Such a question proves utter ignorance of the postal situation. What seems to be the difference between tweedledee and tweedledum in reality is the difference between fair postage rates and unjust postage rates; between complete postal service and inadequate postal service; between proper working conditions for postal workers and unjustifiable conditions.

That mythical deficit now sets the tune. As unsubstantial as the vampire of olden days, it does suck the blood from the postal system. It reduces service, lays too heavy a charge upon mail users, and robs the workers of rightful relief.

Let us consider these statements: First, the postage-rate problem. Under present conditions the great urge is to wipe out this deficit and balance the books. But in this deficit are all these governmental expenses, represented by free and partly free services.

Therefore, if that deficit is to be wiped out, users of the mails must pay not only all proper postal costs but also furnish the money for large governmental expenditures. The money from the sale of stamps must be used to send out the penalty package and the franked letter, the religious paper, and the publication for the blind. It must cover the cost of these public-welfare projects which should be met from the General Treasury as a benefit to all and not a few.

That is the reason, Mr. Chairman, why the Post Office Committee of the House is now so busily engaged in consideration of a bill reducing the rates on all classes of mail matter.

Here is a deficit, so called, of \$28,000,000, and still the department and practically every Member of Congress agrees that there should be reductions in rates. The bill we are now considering, as introduced by Chairman GRIEST and as accepted by the department, would, according to department figures, reduce revenues by more than \$10,000,000, and consequently add that much to the deficit. Still, the only objections from any quarter is that certain reductions do not go far enough.

Nor is such a feeling due altogether to the fact that the Postal Service does not pay dividends as does a private business, and therefore there is no injury to the pocketbook nerve when no profits are shown. It is due also to the fact that complete service is the prime function of this great organization, and rates should be in line with such a fundamental policy.

Of course, there are certain rates, such as that on post cards in first-class-mail classifications, where the 2-cent rate is so high that it has driven matter out of the mail and entailed a loss of some \$6,000,000 instead of an estimated gain of \$10,000,000. It was higher than the traffic would bear.



Mr. Chairman, I have prepared a table which shows the postage rates in force before 1925, the rates established by the act of February 28, 1925, and the rates now proposed. It is as follows:

Statement showing comparison between old rates, 1925 rates, and proposed rates

Class	Mail matter	Old rates	1925 rates	Proposed rates
First	Post cards, private mailing	1 cent each	2 cents each	1 cent each
Second	Transient	1 cent 4 ounces	2 cents 2 ounces; over 8 ounces, parcel post.	1 cent 2 ounces
	Publishers:			
	Scientific, religious, etc., newspapers, periodicals, reading matter, 1½ cents pound.	1½ cents pound	1½ cents pound	1½ cents pound
	Advertising:			
	Zones 1 and 2	2 cents pound	2 cents pound	1½ cents pound
	Zone 3	3 cents pound	3 cents pound	2½ cents pound
	Zone 4	5 cents pound	6 cents pound	4 cents pound
	Zone 5	6 cents pound	do.	4½ cents pound
	Zone 6	7 cents pound	do.	5½ cents pound
	Zone 7	9 cents pound	9 cents pound	7 cents pound
	Zone 8	10 cents pound	do.	7½ cents pound
Third	Printed matter	Up to 4 pounds, 1 cent each 2 ounces; over 4, parcel-post rates.	Under 8 ounces, 1½ cents 2 ounces; over, parcel post.	Under 8 ounces 1½ cents 2 ounces; 20 pounds, 12 cents pound.
	Books, catalogues, seeds, etc.	Under 8 ounces, 1 cent 2 ounces; over 8 ounces parcel post.	Under 8 ounces, 1 cent 2 ounces; over, parcel post.	Under 8 ounces, 1 cent 2 ounces; over parcel post.
Fourth	Merchandise over 8 ounces:			
	Local zone	5 cents first pound; 1 cent each additional 2 pounds.	7 cents first pound; 1 cent additional 2 pounds.	7 cents first pound; 1 cent additional 2 pounds.
	Zones 1 and 2	5 cents first pound; 1 cent each additional pound.	7 cents first pound; 1 cent additional pound.	7 cents first pound; 1 cent additional pound.
	Zone 3	6 cents first pound; 2 cents additional.	8 cents first pound; 2 cents additional.	8 cents first pound; 2 cents additional.
	Zone 4	7 cents first pound; 4 cents additional.	9 cents first pound; 4 cents additional.	8 cents first pound; 4 cents additional.
	Zone 5	8 cents first pound; 6 cents additional.	9 cents first pound; 6 cents additional.	9 cents first pound; 6 cents additional.
	Zone 6	9 cents first pound; 8 cents additional.	11 cents first pound; 8 cents additional.	10 cents first pound; 8 cents additional.
	Zone 7	11 cents first pound; 10 cents additional.	13 cents first pound; 10 cents additional.	12 cents first pound; 10 cents additional.
	Zone 8	12 cents each pound	14 cents first pound; 12 cents additional.	13 cents first pound; 12 cents additional.
	Mailed rural routes		2 cents less parcel	2 cents less local first, second, and third; 1 cent less fourth, fifth, sixth, seventh, and eighth zones.

Here is the statement furnished by the Post Office Department as to the effect on revenues of the proposed rate reductions:

*Estimated net decrease in revenue*

First class, post cards	\$1, 200, 000
Second class:	
Zone rate publications	3, 860, 000
Transient	100, 000
Third class, bulk pound rates	7, 000, 000
Fourth class, service charge	2, 200, 000
Prospective loss in revenue	14, 360, 000

The proposed measure carries provisions as to business reply cards and envelopes, deficient postage, special delivery and special handling, which would bring in additional revenues, but I am dealing here only with the rates on the classes of mail matter.

Mr. GARNER of Texas. I understood the gentleman to say that the rate on first-class matter was so high that it yielded less revenue than before that rate was raised, but he does not make the same statement about the second-class matter. You are reducing the rate and getting less revenue in the second class.

Mr. KELLY. We get less revenue, according to the Post Office Department, yes. The contention is made that because of the present zone rates on advertising, there is less revenue received than there would be at a lower rate.

Mr. HASTINGS. How much less?

Mr. KELLY. No one knows that, but that contention is being made on the ground that great quantities of second-class matter go by private agencies now, but would come back to the Post Office Department at the lower rates.

Mr. HASTINGS. Is that a contention made by the Post Office Department?

Mr. KELLY. No; that is made by the users of the mail.

Mr. COOPER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. KELLY. Yes.

Mr. COOPER of Wisconsin. I have received, as have doubtless other Members of the House, many letters from constituents saying that the 20-pound provision in third class is a discrimination in favor of mail-order houses. What has the gentleman to say to that contention?

Mr. KELLY. Discrimination against them?

Mr. COOPER of Wisconsin. No; in favor of the mail-order houses.

Mr. KELLY. Even if the article weighed only one-half an ounce, the 20-pound limit would mean that about 640 separate pieces would need be mailed. Of course, very few business men send out less than 640 pieces. If they send that number they get the 20-pound rate just the same as the biggest mail-order house in the country.

Mr. COOPER of Wisconsin. One correspondent said that he had always been accustomed to sending out 500.

Mr. KELLY. If his circular weighed two-thirds of an ounce he would get the 20-pound rate. If it weighed half an ounce, he would have to mail at 1½ cents for 2 ounces. The discrimination, if there is any there, and there is some objection to this rate, would be that mailing of less than 20 pounds would take a higher rate of postage.

Mr. COOPER of Wisconsin. The gentleman says, "If there is a discrimination." Ought not the law to be so drawn that there can be no possible discrimination against the country storekeeper in that regard?

Mr. KELLY. I do not want to get into an argument about the merits of this rate, because we have not taken action on it. I am trying to suggest that there is a serious proposition, the reason for reduction of postage rates, facing us in the Post Office Department with an alleged \$28,000,000 deficit.

Mr. GREEN of Florida. I have received several letters from seed houses down in my State as to first-class matter, desiring that the weight be raised from 8 ounces to 10 ounces, which would give them a cheaper distribution of their seeds, and so directly or indirectly benefit the farmer. What does the gentleman think of that?

Mr. KELLY. The gentleman refers to third class, and that proposal is being considered now. Anything under 8 ounces goes as third class, and anything over 8 ounces goes into the fourth class.

Mr. GREEN of Florida. These same gentlemen, I may say, would like pretty well to see the post-card rate go back to 1 cent.

Mr. KELLY. There is no difference of opinion in regard to that.

Mr. GREEN of Florida. Is anything to be done as to the removal of the service charge on certain classes of mail?

Mr. KELLY. Yes; the proposed bill deals with the service charge in certain parcel-post zones.

Mr. GREEN of Florida. Will it be effective 200 miles from the shipping point?

Mr. KELLY. Not according to the proposed bill; no. Instead of having a 2-cent service charge beyond the third zone it would be reduced to 1 cent.

Mr. CROWTHER. Mr. Chairman, will the gentleman yield?

Mr. KELLY. Yes.

Mr. CROWTHER. How about the money-order department?

Mr. KELLY. There is a loss, according to the department, of \$8,000,000. The rates ought to be changed on that.

Mr. BANKHEAD. Will the gentleman yield?

Mr. KELLY. Yes.

Mr. BANKHEAD. I have had a great many inquiries from my district with reference to a proposition which, I understand,

is before your committee, a proposal to prohibit the Government from further publishing and selling stamped envelopes with return addresses upon them. Has any action been taken in the committee on that matter, or has the committee given any consideration to it? I ask for the reason that I want to know how to intelligently answer these inquiries that are submitted to me.

Mr. KELLY. I will say to the gentleman from Alabama that that question is perennial and has been before the committee repeatedly. Hearings requiring days have been given to it in past years. Another bill, proposing to prohibit the Government from printing these return cards on envelopes, is now before the committee but has not yet been given a hearing in this session.

Mr. GREEN of Florida. Will the gentleman yield?

Mr. KELLY. Yes.

Mr. GREEN of Florida. There is apparently no desire on the part of the committee to increase or make postal matters harder on newspapers and other publications coming within that class.

Mr. KELLY. I will say to the gentleman from Florida that the proposed provisions uniformly reduce the present rates. [Applause.]

Now, Mr. Chairman, I am glad to say that the Post Office Department has recognized the justice of the principle which I have repeatedly stated on this floor as to proper credit for free services. In the bill under consideration by the Post Office Committee there is provision for credit for some of these items I have discussed. It provides that the cost of franked, penalty, free in county, and free to the blind mail shall be set apart from other postal expenditures.

It does not go far enough, but it is a long step in the right direction and does some measure of justice to the Post Office Department. In the bill I introduced some time ago, I specified other items, which seem to me to be similar in principle, and I also provided for consideration of the rental charge of Government buildings, as mentioned in the report of the Appropriations Committee.

Unless we do build the Post Office Establishment on a service basis and have the accounting show it clearly, we will be swayed in every action by a fictitious deficit or stand unjustified criticism from those who conceive the entire Postal Service as a profit-making institution.

We have already gone so far that we have a schedule of postage rates which raises revenues for the payment of Government expenditures other than strictly postal operations.

Something can be said for such a plan, if honestly adopted. Several nations use it now in connection with the Postal Service. But I protest against its use by stealth and subterfuge. If we intend to adopt it, let us say so out in the open and act accordingly. One thing is certain, it has not thus far been adopted as the American plan. On the contrary, it was definitely rejected by the founders of this Nation.

The makers of the Constitution which contains the postal power, specifically refused to give any such power to Congress. They said that the post office should be for the service of the people and not an institution for raising revenue.

The Pinckney plan submitted to the Constitutional Convention of 1787 provided that Congress should have power to "establish post offices and raise a revenue from them."

Mr. Patterson, on June 15, suggested a provision that Congress be empowered to raise revenues—

by a postage on all letters and packages passing through the general post office, to be applied to such Federal purposes as they shall deem proper and expedient.

The Constitution makers overwhelmingly rejected such suggestions. They rejected also the theory behind them. They foresaw that any attempt to raise revenue through the Postal Service would destroy its primary purpose. They knew that even the sketchy service of Revolutionary days had been the great unifying agency which makes a nation out of 13 colonies. They knew the importance of the Postal Service in the Nation and they did not propose to have it marred and crippled by any attempts to make it produce revenues.

Oh, the framers of the Constitution knew all about the possibility of making the post office a revenue producer. They were very familiar with the British system, which was built on that policy.

In 1785 the British postal system had a gross income of £463,753, with net revenues to the Government of £261,409. This amount took the place of so much tax money and was used to defray governmental expenses.

But the American nation builders had a different purpose in mind. They visioned a great postal institution for the service of every citizen. They had few means at hand for raising

revenues. The finances were a far greater source of worry then than at present, when we can scarcely decide the amount of surplus to be turned back to the people. Still those statesmen forbade the use of postage rates for raising money to be used for governmental expenses. They refused to permit the raising of revenue through the post office.

They also expressly stated that the only methods for raising funds to meet governmental expenses should be through "laying and collecting taxes" and "borrowing money on the credit of the United States." Where certain methods are enumerated, all others are excluded.

Both in their action on the postal and the taxing provisions of the Constitution, the founders deliberately provided that revenues for the Government should not be raised through postage rates.

Congress has power to do anything which is necessary to create and maintain a Postal Service, but it must be for service, not for revenue raising. Congress can provide that any class of mail matter may be carried free if it decides such action would promote the common good. It may fix less-than-cost rates on any class of mail matter for the same reason.

But it certainly goes beyond its power when it decrees that certain classes of mail matter shall be carried free and certain services performed free and then makes other classes of mail matter and other services pay the cost of such policies.

I believe we should restore the constitutional American post office to the lines laid down by its founders, the statesmen who desired it to be a great unifying service institution.

But suppose we are not concerned about the judgment of the fathers of the Republic in this matter. Let us consider it as it faces us to-day, 140 years after the Constitution was framed. Is it good policy to-day to administer the Post Office Department on a revenue-raising basis? Shall postage rates be fixed so that revenues will show a balance over all expenditures? Shall every administrative effort have as its end the securing of a surplus at the end of the year? Shall we pay out of postal revenues for every free and partly free project adopted by Congress for the common welfare?

Such a policy means the transformation of this establishment into a revenue producer instead of a service giver. It makes profits, not service, the keynote in the Postal Service. For my part, I protest against any such policy.

Over the Washington post office is the real ideal of the Postal Service, quoted everywhere as a true and vivid summary of its purposes.

If we adopt the profit or revenue motive we should have to rewrite that statement as follows:

"Messenger of sympathy and love" (when there is a profit on the messages).

"Servant of parted friends" (in case the revenues will justify).

"Consoler of the lonely" (at so much per console).

"Bond of the scattered family" (if held to a self-sustaining basis).

"Enlarger of the common life" (in case the deficit is not enlarged).

"Carrier of news and knowledge" (when money can be made from the carriage).

"Instrument of trade and industry" (when the cost ascertainment shows it pays).

"Promoter of mutual acquaintance" (where the return to the promoter is sufficient).

"Of peace and good will among nations" (if it assures a postal surplus at the end of year).

No, Mr. Chairman, the American people have never advocated nor agreed to any such weasel qualifications of the aims of the Postal Service and they never will.

If I correctly interpret the public desire as to the Postal Service, they say to Congress:

"We ask that the Post Office Department render full and complete service at the lowest rates consistent with such service; perform such other public-welfare services as it is best fitted to carry out, to be paid for out of Treasury funds; maintain the most efficient organization possible through a personnel receiving compensation in line with American standards of living and the value of services rendered."

Such a command, if carried out, will make the Postal Service what it should be. Every family in the land should be served by the Postal Establishment. This great nation-wide organization should be used for every worthy project where it can best serve the national need. The army of workers who make the service possible should have compensation and working conditions which will serve as an example in justice to every American employer.

If we definitely determine upon the service policy and an honest accounting system, reductions in rates will be in har-



money with that policy. We raised the rates in 1925 because the President and his advisers saw only the reported deficit and insisted that it dictate policy. In his veto message of June 7, 1924, returning the postal salary bill, he said:

For the fiscal year 1923 the postal revenues were \$32,000,000 less than the cost of the service for that year. This deficit had to be met from the moneys paid by the taxpayers. We should not add to the amount of the postal deficit, as is proposed by this bill, but should attempt as a sound business principle to have the users of the mails approximately pay the cost of the service.

Postage rates were increased because of a mythical deficit, and Congress will have to retrace its steps. When we do so, we should put up a signboard which will point the true road for the future. On it we should write the words for all to see and understand: "Not profits but service in the post office."

After all there has been, except for such short by-path excursions, a consistent policy in the formulation of postage rates and it may be seen through all the years since the service was established. Many Congresses have acted upon the subject and many changes have been made but they have followed one course throughout. There is a philosophy behind our postage rates. They do not form a random structure, a hit or miss system.

Our general policy as to postage rates may be formulated as follows:

First-class mail shall pay rates reflecting the fact that the postal organization is built primarily to carry letters and messages. The revenues shall be about the sum necessary to pay half the entire cost of actual postal operations.

Second-class mail. (1) To encourage county weekly papers; they shall be sent through the mails free to such offices as have no delivery system.

(2) To encourage religious, scientific, fraternal, and other publications not published for profit, there shall be a flat rate of 1½ cents per pound for the entire publication, including reading matter and advertising.

(3) Ordinary newspapers and other publications shall pay the full cost of carriage upon their advertising portions with a flat rate of 1½ cents a pound on reading matter.

(4) Newspapers sent by other than publishers shall pay the total cost of handling.

Third-class matter shall pay the total cost of handling.

Fourth-class matter shall pay the total cost of handling.

These are the traditional principles upon which rates are made. They are the proper principles. The confusion in which we have found ourselves for several years is due to two things: First, the insistence upon higher rates when just increase in compensation was granted to employees. Second, the cost ascertainment report which takes no account of the relative value of service given but links first-class mail with the other classes just as though a railroad company should figure freight rates on coal and automobiles on the same basis.

Both of these mistakes come back at last to the fictitious deficit. The inclusion of public-welfare projects with postal operations has showed a mythical loss on some classes of mail matter, while the refusal to recognize the real status of first-class mail has showed a mythical gain. It is time to decide upon a definite policy which will permit fair and square postage rates.

Mr. Chairman, I have pointed out that rate making in the Postal Service has been traditionally based on the policy of service. By making a mythical deficit the keynote of postal calculations we become involved in confusion and injustice. We force the users of paid mail service to pay for benefits to others than themselves. We compel them to pay not alone for the service given them but for a great deal besides.

The very first step toward fair and square rate making is to learn exactly what postal operations cost after deducting policy projects which are public welfare rather than postal. Then the costs may be apportioned to the classes of mail matter on a value of the service basis.

Postage rates is not the only question involved in a proper postal policy. When a fictitious deficit molds postal administration the service to which the American people are entitled is not given.

If expenditures for all purposes must be squeezed into the limits of revenues for paid mail matter the service is bound to be cut to the bone. Railway postal cars, where distribution en route would speed the mail, must give way to storage cars and closed-pouch service and terminal distribution. Carrier service must be cut to the minimum. Clerical help must be refused until the mail begins to pile up into a mountain. Laborers must do the work of clerks and save the difference in their compensation. Speed-up systems must be evolved to

bring out the last ounce of energy. There must be arbitrary weight and unit standards forever advanced to the skill of the fastest worker.

"Twist the screws on costs and show a surplus" really means "keep the Postal Service to the point beyond which the public would rise in wrath."

Improper accounting which shows a fictitious deficit does more than produce too high postage rates and too little service. It means that postal workers must be denied improvements and betterments in working conditions to which every American worker is entitled.

Any suggestion for better conditions must be weighed against the deficit. For instance, the Postmaster General in two annual reports urged a differential for postal employees who work at night.

When the House committee tried to carry out his recommendation the favorable report was withdrawn on the ground of finances, which means the deficit.

Again the Postmaster General asked for legislation to permit the payment of actual and necessary expenses for moving the household goods of officers and regular clerks in the Railway Mail Service when arbitrarily transferred from one station to another for permanent duty.

The entire expense involved was but \$10,000 a year, and the House committee desired to act on the recommendation. However, when the bill was sent to the department the reply was unfavorable because of the finances.

These are suggestions for improvements originating in the department. It is not difficult to judge the fate of suggestions which come from Members of Congress who are interested in providing fairer employment for the postal workers of the United States.

It simply means that any such step must be taken in the face of opposition from the department, which knows best what should be done. Because an inaccurate accounting system gives a deficit, every postal worker in the land must be denied conditions to which he is entitled; not only to which he is entitled, but which he has earned through devoted efforts.

First Assistant General Bartlett has given figures showing that in 1914 the average revenue per post-office clerk was \$5,581. In 1927 it had risen to \$7,951. In 1914 the average revenue per city letter carrier was \$6,468; in 1927 it was \$10,614. The average railway postal clerk is doing 30 per cent more distribution to-day than in 1914.

Surely it is not fair to compel workers who have shown such increasing efficiency to endure hardships because of a non-existent deficit on a faulty and improper balance sheet.

Mr. Chairman, the true end sought to be accomplished by the Post Office Department is the service of the American people. That is the true keynote, the chief corner stone. With that service motive dominating, we can meet the problems of postage rates, increased service, and working conditions on a just and efficient basis.

I have asked this time in the general debate on this post-office appropriation bill to emphasize the need of a definite postal policy. If we decide upon the service policy and act upon it, it will benefit every American through a better, more efficient, and comprehensive Postal Service. That is a purpose well worth the while of this Seventieth Congress of the United States.

Mr. BYRNS. Mr. Chairman, I yield 15 minutes to the gentleman from Texas [Mr. BLACK].

Mr. BLACK of Texas. Mr. Chairman, I have taken the floor at this time to discuss the Box bill—H. R. 6465—a bill introduced in the House by my colleague Representative JOHN C. BOX, and which seeks to place the same quota restrictions on Mexican immigration as applies to immigration from the European countries.

I have received a good many communications from organizations in Texas asking me how I stand on this bill. One of the organizations which has written me on the subject is the West Texas Chamber of Commerce, and I now ask to have read in my time my reply to that letter.

The Clerk read as follows:

FEBRUARY 10, 1928.

HON. HOMER D. WADE,

Manager West Texas Chamber of Commerce,  
Stamford, Tex.

MY DEAR MR. WADE: I have received your letter of January 31, 1928, in which you urge that the present immigration laws, so far as they relate to Mexico and Canada, be left intact, at least for the present; and you state that in making this request you speak for the West Texas Chamber of Commerce. You also request that I advise you what my attitude is on the question involved.

I will be very glad to tell you. I am unequivocally in favor of the Box bill, which seeks to place Mexican immigration under the same quota restrictions as now apply to European immigration. Not only am I in favor of this bill, but I expect to do what I can to help get action on it at this present session of Congress. To that end I have asked to be heard by the Committee on Immigration of the House of Representatives when it begins its hearings on the Box bill next week. I shall appear before the committee and urge favorable consideration of the bill at this session of Congress.

The argument used by some that we need a large influx of Mexican immigration, because it furnishes cheap labor, makes no appeal to me. In the first place, there is no scarcity of labor in the United States, taking it as a whole, and there is none in Texas. In fact, the labor supply is more than ample. The truth of the matter is there is serious unemployment in many sections of the United States, and some authorities estimate the number of unemployed at 4,000,000 men.

In the next place, even if there were no large amount of unemployment, it is a very short-sighted policy for certain large business interests in the United States to advocate lax immigration laws to get cheap labor. It is sowing to the wind to afterward reap the whirlwind. Capital in the long run can only prosper in the truest and best sense by doing full justice to labor. And while a temporary advantage might be gained in the way of larger profits by beating down wages and lowering the American standards of living through a wholesale and unrestricted foreign immigration, yet the results in the end would be disastrous.

Radicalism and discontent would stalk abroad and would fasten their tentacles to the vitals of American business and commerce and, Samson-like, would pull down the pillars of our whole economic structure on our heads.

Aside from economic reasons, there are strong reasons of a social nature why our Nation should pursue a policy of selective and restrictive immigration. As to the soundness of this position I am well convinced. And I am further of the opinion that these selective and restrictive provisions of the law should apply to Mexican immigration, just the same as to any other, and I shall certainly vote that way at every opportunity I have.

Yours sincerely,

EUGENE BLACK.

[Applause.]

Mr. BLACK of Texas. Now, Mr. Chairman, statistics show that about 50,000 immigrants come to the United States annually from Mexico, and during the last year this number increased to more than 60,000. Unless restrictions are imposed this number is certain to increase from year to year and before we are aware of it we will have a Mexican population in the United States of several millions of people. It seems to me that every consideration of common sense and good judgment would require that we impose quota restrictions at this time and avoid serious complications in the future.

If we pass the Box bill and put Mexican immigration under quota restrictions, the number of immigrants that would come to the United States thereafter from Mexico would be less than 3,000 annually.

#### IMMIGRATION RESTRICTION DOES NOT SIGNIFY RACIAL PREJUDICE OR HATE

I do not advocate a policy of rigid immigration restriction because I entertain in my heart any element of racial prejudice or hate against any nation of people in the world. I certainly entertain no ill feeling toward the Mexican people or the Mexican Government. I am anxious to see every nation, kindred, and tongue to earth's remotest bounds climb the ladder of success and improve their standards of living, health, and moral welfare. I would like to see ill feeling and distrust and sectional animosities vanish from the face of the earth. Such a consummation is the Utopia to which we all would look with fond desire.

I would like to see the United States of America play the largest possible part toward the achievement of a better feeling and a more perfect understanding among the nations, but we do not have to sacrifice any of our national aspirations and desires in order to play this useful part in the world's affairs. In fact, the more we would allow our cherished institutions, builded and established by our forbears, to be undermined and destroyed by an inundation of immigrant masses, either hostile to those institutions or unable to understand them, the less we would be able to contribute to the onward march of humanity.

The very best service we can render to the world, and the largest contribution we can possibly make to the sum and total of human happiness is to keep our country a land of improving standards of living, of cleaner moral perceptions, of more robust physical and mental health, and of finer ideals of government. We can not do this if we are careless and indifferent about the elements which make up our composite citizenship. There are two outstanding considerations which make restriction of immigration imperative. There may be other reasons, but these two impress me most. They are:

First. Protection of American standards of living for American labor against the demoralization which would result from unrestricted immigration.

Second. Protection of American Government and American institutions against the imperfect and distorted ideas of those who have never been trained to self-government and who have but little understanding of its true meaning and significance.

These reasons not only satisfy me as to the correctness of my support in favor of this Box bill, but they go further than that; they make it my imperative duty to vote for it if I get the opportunity.

Mr. HARDY. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. MICHENER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 10635) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1929, and for other purposes, and had come to no resolution thereon.

#### DISTINGUISHED VISITORS

The SPEAKER. Gentlemen and gentlemen of the House, it is my pleasure to announce the presence in the diplomatic gallery of his excellency the French ambassador. [Applause.] Accompanying him are Lieut. Commander Joseph Lebriz and Lieut. Dieudonné Costes [applause], who have just completed their epoch-making flight of more than 23,000 miles from Paris to Washington. [Applause.] Their presence here is another evidence of that friendship, strong and imperishable, which exists between our two great countries. [Applause.]

Mr. Ambassador and gentlemen, on behalf of the House of Representatives of the United States, I bid you a warm and affectionate welcome. [Applause.]

#### TREASURY AND POST OFFICE DEPARTMENTS APPROPRIATION BILL

Mr. MADDEN. Mr. Speaker, I move that the committee resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 10635) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1929, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 10635, with Mr. MICHENER in the chair.

The CHAIRMAN. The House is in the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 10635, which the Clerk will report by title.

The Clerk read the title of the bill.

Mr. BLACK of Texas. Mr. Chairman, just before the committee rose in honor of our distinguished guests, Lieut. Commander Joseph Lebriz and Lieut. Dieudonné Costes, trans-Atlantic flyers, I said that in our desire as a nation to promote good feeling and better understanding among other nations of the world it is not necessary to sacrifice in any degree our right to deal with immigration and other domestic problems of that nature in whatever way we see proper.

Mr. GREEN of Florida. Will the gentleman yield?

Mr. BLACK of Texas. I yield to the gentleman.

Mr. GREEN of Florida. The quota law applies to Great Britain, France, and the other great nations of the world alike, but the Central and South American countries and Mexico and the islands may dump their people—white, Indian, and black—on our shores without any restrictions as to quota whatsoever, and more than 1,000 of the negroes, mostly from these islands, were sent here without any restriction last year.

Mr. BLACK of Texas. I will say to the gentleman that it is correct that the nations which he has enumerated at the present time are not under any quota restrictions at all, and the provisions of the Box bill would repeal that provision of the present immigration law, which exempts them from quota restrictions, and would place all of the nations enumerated by the gentleman from Florida under the same quota restrictions as are the European nations.

Mr. GARBER. Will the gentleman yield?

Mr. BLACK of Texas. I yield to the gentleman.

Mr. GARBER. I am very much in sympathy with the remarks of the distinguished gentleman from Texas. It is a great need that has long been recognized; in fact it was recognized at the time of the passage of the immigration bill that our back door was left open for indiscriminate immigration.



Does the Box bill set up the necessary machinery to enforce the quotas provided for under its provisions?

Mr. BLACK of Texas. Yes; it undoubtedly does that; in fact, I will call the attention of my friend from Oklahoma to the fact that the purpose of the Box bill is to repeal outright that subdivision of the law which now permits them to come in without quota restrictions.

Mr. HUDSPETH. Will the gentleman yield?

Mr. BLACK of Texas. I yield to my colleague from Texas.

Mr. HUDSPETH. I have not read the Box bill as introduced at this session, but does it apply the quota restriction also to Canada?

Mr. BLACK of Texas. Yes. I will say to the gentleman it repeals the entire subdivision to which I have just referred, and that subdivision does include the Dominion of Canada. In fact, I will say to my friend from Texas, the purpose of the Box bill is to place all immigrants upon the same quota basis; and let me say further I think it is a thoroughly sound idea. It is one within the rights of the American people to enact, and for reasons I will undertake to show briefly it is one that we ought to enact.

Mr. HUDSPETH. I did not hear the opening part of my colleague's statement, but I understand the gentleman stated that so many thousand came into the United States each year.

Mr. BLACK of Texas. There were about 68,000 of these immigrants last year from Mexico.

Mr. HUDSPETH. Can my colleague from Texas state, if he has the information, how many of these Mexicans returned to Mexico?

Mr. BLACK of Texas. I do not have those figures, but I will be pleased to endeavor to get them from the Department of Labor and put them in the Record.

Mr. HUDSPETH. I would like to have the figures on that.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BLACK of Texas. May I have five minutes more in order to complete my statement?

Mr. BYRNS. Mr. Chairman, I yield the gentleman five minutes more. I will yield the gentleman more time if he desires it.

Mr. BLACK of Texas. I thank the gentleman. Does my colleague desire me to yield to him any further?

Mr. HUDSPETH. I do not want to take up my colleague's time unless it is entirely agreeable to him; but I have more questions I would like to propound.

Mr. BLACK of Texas. I will be very pleased to yield to the gentleman.

Mr. HUDSPETH. These Mexicans who come into the United States come in for the purpose of picking cotton along the Rio Grande and working on the ranches. They are used for seasonal labor when no other kind can be supplied in most instances. Now, can my colleague tell me how many of these Mexicans have ever been accused of crimes or indicted for crimes? I would like to have this information if my friend from Texas has it available.

Mr. BLACK of Texas. I wish my colleague to understand that I am not making any assault upon the Mexican people. I intend to try to show briefly that it would be a social mistake as well as an economic mistake to fill up this country with several million Mexican population; but in order to do that, I do not have to make any attack upon the Mexican people, and I have not made any, and I do not intend to make any.

Mr. HUDSPETH. I did not so understand; but I will state to my colleague if they are coming in and going back, being used simply as seasonal labor, then where is the harm in that to the American people, or where is the economical or social mistake? I do not know of many, if any, American laborers they displace on the farms or ranches in my district.

Mr. BLACK of Texas. If the gentleman's premise was correct—

Mr. HUDSPETH. I think I will show the gentleman in time that it is correct. At least, I will try to do so.

Mr. BLACK of Texas. The gentleman will have his opportunity to do that. I do not think the gentleman is correct. Many of them come over here and never go back.

Mr. ALLGOOD. Will the gentleman yield?

Mr. BLACK of Texas. I yield to the gentleman.

Mr. ALLGOOD. The Box bill, as I understand, removes all quota discrimination?

Mr. BLACK of Texas. Yes; it does, indeed, and places all upon a quota basis.

Mr. ALLGOOD. It places all countries upon the same basis, which is fair.

Mr. BLACK of Texas. Yes.

Now, Mr. Chairman, may I proceed further with the thought I was developing at the time I was interrupted, and, of course,

I take no exception at all to the interruptions. I like to participate in discussions with my colleagues, whether they agree with me or not.

Mr. MADDEN. Will the gentleman yield?

Mr. BLACK of Texas. I yield to the gentleman.

Mr. MADDEN. I received a circular letter from the West Texas Agricultural Chamber of Commerce a day or two ago in which they set out the needs for more freedom of admission across the Mexican border in order that the farm units of west Texas might be better able to cultivate the soil. What merit is there in that?

Mr. BLACK of Texas. I will say there is about the same merit in that argument as has been made by all the employers of labor who seek to break down the immigration restrictions and allow into the United States an influx of cheap labor.

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. BYRNS. I yield the gentleman five minutes more.

Mr. O'CONNOR of Louisiana. Will the gentleman yield?

Mr. BLACK of Texas. Yes.

Mr. O'CONNOR of Louisiana. I want to say that I voted for the immigration bill, but I would like to see how far we are going. Would the provision in the Box bill that the gentleman speaks of be applicable to restricting the immigration of Indians from Mexico and Guatemala?

Mr. BLACK of Texas. Yes; the Box bill, as I have stated in my remarks, seeks to repeal that provision of the immigration law which permits certain nations of the Western Hemisphere, including, of course, Mexico and Guatemala, to come into the United States without quota restrictions.

Mr. O'CONNOR of Louisiana. Does that not look rather extraordinary to provide restrictions against the race that was already in America when we, the white people, came here?

Mr. BLACK of Texas. The people to whom the gentleman refers were not aborigines of the United States. Let me say to my friend from Louisiana, whom I esteem very highly, does he not recognize the serious problem involved, both from the standpoint of racial stock and the standpoint of social and economic reasons—does not he recognize the seriousness of the situation of allowing a large influx of Mexican immigrants such as is now coming in? Would it not be better to apply the same quota restrictions to the nations of the Western Hemisphere, including Mexico, as we apply to European countries?

Mr. O'CONNOR of Louisiana. As I stated, I voted for the immigration law, but in all fairness it is extraordinary for the people who came to America as an extension of European stock to divest the people who originally owned the country, and at this time make them prisoners in the land of their ancestors.

Mr. BLACK of Texas. The sentiment which the gentleman from Louisiana seeks to invoke does not exist, because such would not be the effect of the Box bill.

Mr. HUDSPETH. Will the gentleman yield?

Mr. BLACK of Texas. I will.

Mr. HUDSPETH. I do not like to take up the time of my colleague, but if I understand from his support of the Box bill he is afraid that if the Mexicans are brought in here they will have a tendency to lower the standards of American institutions in this country?

Mr. BLACK of Texas. I said that it would inevitably lower the standard of living.

Mr. HUDSPETH. Does not the gentleman know that we have Mexicans born in this country? Many of them fought under the Stars and Stripes in the World War.

Mr. BLACK of Texas. We have a large voting population, I understand, of Mexicans in some of the counties along the Rio Grande.

Mr. HUDSPETH. In my city of El Paso, according to the last estimate I saw, there are about one-third of them Mexicans. There are about 16,000 voters, and as I remember now about 2,000, or probably a few more, voted in our last primary. I think a great part of this number were born in the United States. Some Mexicans were here before the Battle of San Jacinto. Some fought under General Houston against the tyrant Santa Anna—and the first Vice President of the Republic of Texas was a patriotic Mexican—Texon-Antonio De Zavalla.

Mr. BLACK of Texas. I am not going to permit the gentleman to put me in the attitude of making any attack on the Mexican people. I expressly disclaim any desire to make any attack on the Mexican people. I have no feeling against the Mexican Government, but I do say that I earnestly believe that both from social and economical standpoints there is every reason that we should apply the quota law to Mexico the same as to other countries.

Mr. STEVENSON. Will the gentleman yield?

Mr. BLACK of Texas. Yes.

Mr. STEVENSON. Apropos of Mexicans being in Texas when independence was acquired, were not the English and Scotch here when we acquired our liberty, and do not the restrictions against them apply to-day?

Mr. BLACK of Texas. They certainly do; the quota applies to people over the seas from whom we sprung.

My colleague, Mr. HUDSPETH, has asked me some questions and I shall ask him some. Does he think there is any less reason for applying the quota restrictions to the Mexican immigrants than there is for applying them to immigration from England or Scotland or Wales or Ireland?

Mr. HUDSPETH. For this reason: I have always understood that the quota has not been applied to our neighbors on the north or south.

Mr. BLACK of Texas. Oh, will the gentleman answer that question?

Mr. HUDSPETH. I am trying to answer it if the gentleman will restrain himself. I have understood that it has never heretofore been applied to the countries bordering on the United States, and from the ones that come into my district—and I think most of them return in a few months—I can see no great reason for applying it to either Canada or Mexico.

Mr. BLACK of Texas. It has not been, but we hope to do it by the Box bill.

Mr. HUDSPETH. The English when they come here, come here to remain permanently, as I understand. If we can not get any other class of laborers than Mexicans to pick our cotton and work on our ranches, what are we going to do? Abandon our farms and our ranches, I will ask my friend from Texas?

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. BLACK of Texas. I do not admit that the situation is so deplorable as the gentleman suggests.

Mr. BYRNS. Mr. Chairman, I yield five minutes more to the gentleman from Texas.

Mr. LA GUARDIA. Mr. Chairman, will the gentleman yield?

Mr. BLACK of Texas. Yes.  
Mr. LA GUARDIA. Three or four years ago I introduced a resolution to bring out the facts as to the number of Mexicans that were brought in seasonally. I found them as far north as the beet-sugar fields of Michigan. It was then suggested that that labor was not available in Texas, and my resolution remained in the committee. Is it because that labor is not available in Texas, or is it because they desire to keep wages down?

Mr. BLACK of Texas. My own view is, and I will be very frank about it, that taking Texas as a whole, excluding perhaps some isolated localities, there is an ample supply of labor in Texas for all reasonable purposes. In fact, I think there is quite a good deal of unemployment in some sections.

Mr. GARNER of Texas. Mr. Chairman, will the gentleman yield?

Mr. BLACK of Texas. Yes.  
Mr. GARNER of Texas. If I understood the gentleman's position in support of the Box bill, it is that by permitting Mexicans to come into this country it will lower the standard of living?

Mr. BLACK of Texas. Yes.  
Mr. GARNER of Texas. And would that apply to Central and South America?

Mr. BLACK of Texas. It would.  
Mr. GARNER of Texas. Would the gentleman apply the quota to all those countries?

Mr. BLACK of Texas. Certainly, and the Box bill undertakes to do it.

Mr. GARNER of Texas. Would the gentleman apply it to Canada?

Mr. BLACK of Texas. Yes. The Box bill does that. The purpose of the Box bill is to wipe out all the exceptions from the quota provisions, and I am earnestly in favor of doing it.

Mr. GARNER of Texas. And if they amend that bill so as to apply the quota to Mexico alone, would the gentleman support the bill?

Mr. BLACK of Texas. Certainly; but I do not think that is the way it ought to be done. I do not know of any good reason why we should exempt any nation from the quota provisions. I go further and say that it is thoroughly within the rights of the American people to properly restrict immigration. No nation has a right to consider it an unfriendly act on our part, but they will have a right to so consider it if we continue to discriminate.

Mr. GARNER of Texas. That is what I wanted to call the gentleman's attention to.

Mr. BLACK of Texas. I am not in favor of any discrimination. I stand ready to go before the Committee on Immigration, and I intend to go before it and advocate the passage

of the Box bill in exactly the form in which it is now drawn, and that is to apply the quota restrictions to all nations alike.

Mr. GARNER of Texas. I asked the gentleman a question a moment ago, and he answered it in one way, that if we apply the quota to Mexico, he would apply it to all of the other countries, but if the bill should be amended either in the committee or on the floor so as to apply the quota only to Mexico, does the gentleman think that that would be treating the Mexicans right?

Mr. BLACK of Texas. I do not think really that the gentleman has a right to ask me what I would do in a supposititious case, and yet I do not mind answering him. I shall support the bill even though it is amended in the respect the gentleman states. I would prefer, however, that it be not so amended.

Mr. LA GUARDIA. Mr. Chairman, will the gentleman yield further?

Mr. BLACK of Texas. Yes.  
Mr. LA GUARDIA. Is not the reply to the inquiry made by the gentleman from Texas [Mr. GARNER], with the exception of one or two points on the Canadian border, Canada does not present any such labor problem as Mexico does.

Mr. BLACK of Texas. That is true. I do not think that we have much immigration from the Dominion of Canada. I do not think that they would object to being included under the same quota provision as their mother country, England.

Mr. HUDSPETH. Mr. Chairman, will the gentleman yield further?

Mr. BLACK of Texas. Yes.  
Mr. HUDSPETH. I voted for the immigration bill. If it should be shown that most of the immigrants, or a large majority of them, come over here only for seasonal labor and return to Mexico after a stay of two or three months, would the gentleman still be in favor of applying the quota?

Mr. BLACK of Texas. The gentleman is supposing again.

Mr. HUDSPETH. I say if it should be so?

Mr. BLACK of Texas. I decline to be led into a discussion of a supposititious case.

Mr. HUDSPETH. Probably this can be shown. I feel sure it is the case largely in my district.

Mr. BLACK of Texas. I do not think the gentleman can.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. BYRNS. Mr. Chairman, I yield three minutes more to the gentleman.

Mr. COOPER of Wisconsin. Mr. Chairman, if the gentleman will yield, I would like to ask him a question.

Mr. BLACK of Texas. I yield.

Mr. COOPER of Wisconsin. I have listened to the questioning of the gentleman by his colleagues from Texas and elsewhere. One of them, I think, was strongly in favor of a tariff on cattle and one of a tariff on hides, but from his questioning I infer that he now wants free trade in labor. [Laughter.]

Mr. BLACK of Texas. I think that is a correct interpretation of the gentleman's attitude.

Mr. HUDSPETH. Mr. Chairman, will the gentleman permit a question there?

Mr. MADDEN. It is a most interesting statement, coming from the gentleman. I think the gentleman should interest himself in watching the psychology of the situation, where in Congress there is a demand for a further restriction of immigration and at the same time a demand for the greatest freedom in immigration.

Mr. HUDSPETH. In answer to the gentleman from Wisconsin I will say that there is a tariff on Mexicans coming in now of \$8 a head, and besides there is a "literacy test" applied to all Mexicans coming into the United States, and they must be compelled to come in legally through regular ports of entry.

Mr. GREEN of Florida. Mr. Chairman, will the gentleman yield?

Mr. BLACK of Texas. Yes.  
Mr. GREEN of Florida. Regardless of what may apply to Mexico and Canada, I would like my colleagues to remember that it is permitting those West India islands to dump their negroes into Florida, and we are tired of it. Of course, some of their citizens are splendid white people.

Mr. BLACK of Texas. Mr. Chairman, that is all I have to say, except to reiterate that I am a supporter of the Box bill and will go before the House Committee on Immigration and Naturalization and do what I can to get a favorable report on it.

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. BYRNS. Mr. Chairman, I yield 20 minutes to the gentleman from Georgia [Mr. LANKFORD].

The CHAIRMAN. The gentleman from Georgia is recognized for 20 minutes.



Mr. LANKFORD. Mr. Chairman and gentlemen of the committee, in my time I wish to read from the Washington Post, of recent date, an editorial, as follows:

THE LANKFORD BILL

When the House Committee on Agriculture gets time it may consider the bill which Mr. LANKFORD, of Georgia, introduced early in December, and which has thus far languished in the files of the committee without showing signs of life. The Lankford bill proposes to give into the hands of the Secretary of Agriculture \$1,000,000 with which to "experiment in the organization of producers' clubs and consumers' clubs, the sale of food and food products from producers' clubs and others to consumers' clubs and others."

It would go further still and authorize the Secretary to experiment with the "establishment of eating centers, owned and operated by farm organizations or clubs, for the purpose of advertising and extending the sale of farm products and for the purpose of profit." But that is not all. The Lankford bill would give the overworked Secretary of Agriculture the right and power to demonstrate to the public generally the real value of pure food, directly from the farm, "carefully prepared."

The department for several years past has been ready with astronomical formulas for figuring the future price of hogs, and has just issued a leaflet in which the farm boy may learn how to erect a rabbit hutch (Leaflet No. 15-L). The housewife has only to send a postal card to obtain an interesting bulletin which will tell her how to make her aprons and undergarments. The department also tells her how to get her shoes repaired before the heels "turn over." It is possible that, having issued so many aids to life, the thousands of employees over on the Mall and in the rented buildings outside are pining for new worlds to conquer. The opportunity will be presented when Congress adds the million provided in the Lankford bill. With that money an enterprising bureau can lay the foundation for demanding additional millions for the installation and upkeep of eaters' clubs.

Mr. Chairman, my faith in my bill is now doubly confirmed. The hit dog always barks. The Washington Post, the champion of the unnecessary profiteering middlemen, whom I am seeking to eliminate, is expected to howl.

The Government gives fabulous sums to Italy and other foreign nations, donates either directly or indirectly untold millions to railroads, manufacturers, international bankers, and others, and with a lavish hand experiments in almost everything under the sun except the selling of food and food products directly from the producer to the consumer. Of course, I am heart and soul in favor of my bill and shall argue for and urge its passage at every opportunity. I shall endeavor to argue it at length and in details in the next few days.

The Post editor is evidently very much against legislation for the producer and consumer. He thinks the big speculator owns the Nation and the fullness thereof. He objects to bulletins which cost much less than 1 cent each being issued to tell folks how to make a pair of shoes last a little longer, and yet favors laws that helps the manufacturers of shoes and others to rob the owner of that pair of shoes of thousands of dollars by a series of petty larcenies committed almost every day and every time the poor fellow buys any article of food or clothing. The editor sees great loss to the Government in the printing of a few farmers' bulletins which may prove helpful to the farmer, and yet the editor evidently approves as an act of the highest patriotism the stealing of millions and millions of dollars' worth of oil leases from the people of the Nation by Doheny, Sinclair, and Fall, with the aid and connivance of the president and owner of the editor's paper.

My bill seeks to help all who produce and all who eat—and that includes all of us. I would like to see an experiment station in the big cities where people could buy raw and cooked food directly from the farm. We would find just how cheaply the best food in the world can be placed on the hungry consumer's table. The farmer would get much more for his product. The consumer would get much fresher and better food for less money. All would be benefited except the unnecessary profiteer, and he would be justly eliminated. Let us pass this bill and also my bill to create the farmers' finance corporation to assure the farmer a fair average price for basic agricultural products such as cotton and tobacco, and the farm problem will disappear like morning mist before the sun. I have also introduced a bill providing for an extension of the parcel-post system so as to help the farmer deliver his food products directly from the farm to the consumers hundreds and thousands of miles away. There is no need for middlemen in the handling of food from the producer to the consumer. Let us put the fresh products of the farm on the table of the consumer each morning thousands of miles away just like the newspapers are ready for their readers, hundreds and thousands of miles away, every day.

Let us not be discouraged if we fail temporarily. Out of all this effort and fight should come—I hope very soon—a proper

solution of the farmers' problems. The apparent failure and "wild Utopian dream" of to-day will be the success of tomorrow. Good comes out of every sincere effort in behalf of the right. Lowell wrote:

Truth forever on the scaffold, wrong forever on the throne.

Yet that scaffold sways the future, and, behind the dim unknown,  
Standeth God within the shadow, keeping watch above His own.

Justice rules. Progress never stops. The farmers some day will come into their own. May God speed the hour. [Applause.]

Mr. Chairman, I yield back any time I may not have used.

The CHAIRMAN. The gentleman has consumed 8 minutes and yields back 12 minutes.

Mr. MADDEN. Mr. Chairman, I yield 30 minutes to the gentleman from New York [Mr. CROWTHER].

The CHAIRMAN. The gentleman from New York is recognized for 30 minutes.

Mr. CROWTHER. Mr. Chairman and gentlemen of the committee, all real Americans are proud of the high standard of living conditions enjoyed by the folks who toil on the farms and in the great industrial plants of this country.

Steady employment at good wages means more and better food, better clothing, better homes, more of them owned instead of rented, more opportunity for the children's education and advancement, a savings account for the proverbial "rainy day," and a chance to get acquainted with a few of the world's luxuries rather than to grind out an existence with bare necessities as the only reward for service.

The protective tariff policy, a fundamental of Republican faith, has been instrumental in the betterment of living conditions of our American workmen to a degree that has excited the wonder of the world. Never before in the country's history has there been such a concerted effort to break down this tariff policy. The most insistent demand comes from the international bankers who, having loaned vast sums abroad, are vastly more concerned regarding industrial success in Europe than they are for the welfare of American workmen and their families. Like Shylock, these bankers cry out and demand their pound of flesh; and if in the taking the lifeblood of American industry is drained to the last drop, it will be to them but a mere incident. The attitude of the international bankers has brought great joy to the Democratic camp, and they welcome this new convert to the free trade, alias "tariff for revenue" faith. Mr. Importer, from his retreat furnished gorgeously in orientals, shouts a loud "Amen, brother," and joins lustily in the chorus of the Democratic hymn:

Down with the tariff,  
It's nothing but a tax;  
If argument is futile,  
Then let's take an ax.

[Laughter.]

Mr. BANKHEAD. Mr. Chairman, will the gentleman yield there?

Mr. CROWTHER. Yes.

Mr. BANKHEAD. What has the gentleman to say as to the attitude of some 14 Republicans from the Western States?

Mr. CROWTHER. Well, I do not recognize them as Republicans as I know men of Republican faith and traditions. They are temporarily, at least, off the reservation.

Here we have an example of the much-discussed "companionate marriage," the Democratic Party and the international bankers being the high contracting parties, while the importers give away the bride, and holding themselves in prayerful attitude say, "Bless you my children, bless you."

Many of our key industries are lagging as a result of foreign competition, and on the list we find manufacturers of rugs, glassware and plate glass, pottery, bricks, cement, shingles, monumental stone, fabric gloves, veneers and plywood, calf leather, and cotton and woolen textiles. Of those mentioned, bricks, cement, shingles, and calf leather and monumental stone are on the free list, and no opportunity of relief is offered through the flexible clause of the present tariff act.

In fact, as I wrote to one of my friends who was actively interested in one of these great industries, it did not look to me as being possible for us to have any tariff legislation at this time. Any attempt to revise schedules would unsettle the business of the country; manufacturers would be in a quandary as to production; merchants would adopt the hand-to-mouth policy in buying; and a general depression of business would result. The producers who, unfortunately, are on the free list are in the position of the boy who was afflicted with a violent toothache. He lived 20 miles from a dentist, and all the comfort his friends could give was to say to him, "You will have to grin and bear it." These people will have to grin and bear it until such time as we have opportunity under

the right conditions to revise the tariff. The boy's answer, however, was that "he would bear it, but he'd be darned if he'd grin." The manufacturers whose products are on the free list will probably feel that same way.

The recent discussion in the United States Senate on the McMaster resolution for reduction of tariff duties brought out the fact that the Democratic Members, together with a few so-called Republicans, were anxious to revise the tariff rates but wanted them revised downward.

The fact of the matter is that the Fordney-McCumber bill was written at a period when industrial activity in Europe was paralyzed and foreign currency so depreciated in value that invoice prices meant almost nothing in dollars. During the nearly six years that have elapsed since the passage of the bill, industrial conditions have changed materially and there has been a gradual increase of foreign merchandise to our ports. The tariff bill that its opponents stated would stifle European trade and prevent foreign countries from doing business with the United States has been the greatest revenue producer we have ever had, over \$600,000,000 having been paid at the custom-houses in 1926. So that instead of revision downward, the rates on many commodities should be raised, and a great many articles now on the free list should be protected by a reasonable rate of duty.

The knitted outerwear manufacturers have the highest protection under the present wool schedule and yet it is insufficient. In spite of this apparently high tariff on their goods, the import figures supplied by the Government show that in 1926, under present rates, compared with 1922, the last year of the Underwood bill, the imports of wool knitted underwear have increased over 360 per cent; imports of woolen knitted gloves, 200 per cent; imports of silk knitted outerwear, 139 per cent; imports of cotton knitted fabrics increased 1,600 per cent; and imports of cotton knitted gloves increased over 900 per cent.

The United States woolen and cotton knit-glove production for 1921 amounted to \$21,308,700 and shrank in 1925 to \$8,339,612. The above figures I have taken from your association's National Bulletin of July, 1927.

In four leading department stores in Washington I found that the fabric gloves with embroidery on backs and cuffs all had tags attached to each pair marked "Made in Germany" and "Made in Saxony," and the retail price has been increased to nearly double as compared with the prices in 1921.

During the period from 1922 to 1926 imports of cotton gloves (knitted) increased from \$645,365 to \$6,534,515, and the fabric-glove industry has been destroyed in this country as a result of insufficient protection.

The advantages of the European producers may be listed as follows: Low labor costs, low material costs, and extra hours of labor which are provided for in many cases by special agreement between industrial associations and the government. In Italy where labor is presumed to account for 50 per cent of production costs, women up to 17 years of age receive a daily wage of lire 9.9, or about 50 cents; women over 17 years, 19 lire, or about 95 cents; males up to 17 years, 13 lire, or about 65 cents; males over 17 years, 34 lire, or about \$1.70.

These figures include amounts that were described by your President as living bonuses.

In Switzerland the wages paid to beginners are as follows:

- Men, from 16 to 18 cents per hour.
- Boys, 15 to 16 years of age, 10 to 12 cents per hour.
- Girls, 15 to 16 years of age, 8 to 10 cents per hour.

The 48-hour week prevails here, but special permission can be had to work 52 hours at the regular wage rate. As soon as a manufacturing concern in Switzerland employs six people the State recognizes it as a factory, and it must be registered. This enables their associations to keep informed as to new concerns, and they endeavor to secure them as members, so that they are enrolled up to about 97 per cent.

Germany is back to normal so far as production is concerned, and is probably the strongest contender facing us to-day in the race for industrial supremacy. Skilled male labor receives 16 cents per hour, skilled female labor 10 cents per hour. Rayon prices in Germany run from 70 to 87 cents per pound, according to grade, about two-thirds of American costs. Rayon yarns can be purchased for about one-half of American costs.

#### WAGES FRANCE

- Males, 11 to 14½ cents per hour.
- Females, 10 to 12 cents per hour.
- Skilled knitters, 10 per cent higher.

#### AUSTRIA

- Skilled labor, \$5.07 per week.
- Hand knitters, \$3.91 per week.
- Juvenile workers, \$2.26 per week.

#### ENGLAND

- Average weekly wage, \$8.33.
- Average skilled males, \$13.43.
- Average skilled females, \$6.92.

#### UNITED STATES

- Unskilled average, \$18 to \$30.
- Skilled knitters receive \$30 to \$60.

In view of these tremendous differences in production costs, it is plain to be seen that without a tariff rate that is really protective knitted-outerwear industry would be hard pressed, and in parlance of the times "up against it." A reduction in the present rates would no doubt be a severe blow to the industry and result either in a complete cessation of activities or a radical cut in wages that would mean hardship and misery to thousands of their employees.

The present tariff rate is all that lies between them and the utter annihilation of their business.

There evidently is a necessity for higher rates in other manufactures of cotton, as the Tariff Commission lists in their 1926 report the following applications for surveys since 1922:

Nankin ticking, cotton cloth, cotton cloth (fine), cotton shirtings, cotton goods, spreads and quilts, woven labels, fabric gloves, hosiery, and heavy coat lining.

The 1927 report will no doubt show a decided increase in applications for investigation as to foreign production costs. Applications for increased duty are made by the manufacturers and the demand for decrease comes from the importers. If the United States Senate had held to their original agreement with the House of Representatives as to the adoption of American valuation as a basis for assessment of duties, the delays incident to investigation by the Tariff Commission would have been avoided. The bill was prepared by the Ways and Means Committee in the supposition that American valuation would be adopted and rates were adjusted to that plan. This labor on the part of the committee was all wasted and the importers all gave three cheers for the Senate.

The flexible clause was a sop to the supporters of American valuation, and while it has been of some value in several instances, it is a doubtful constitutional procedure to transfer the rate-making power from the Congress to the President, no matter who he may be or of what political faith.

#### POTTERY

I am informed on reliable authority that if all the pottery kilns were being run at capacity they could only supply 75 per cent of the pottery requirements of the country. To-day they are running at less than 50 per cent capacity and importations of foreign pottery are increasing steadily.

The pottery manufacturers, as well as the manufacturers of other commodities, will be compelled to ask that section 315 (b) be applied to their cases, which permits an ad valorem duty to be based and assessed upon the American selling price. This procedure is an absolute necessity in many cases where the flat raise of 50 per cent of present duty would be of no value.

The fabric-glove industry was developed in this country as a war industry. They were unable to import the fabric gloves during the war, and the use of these knit gloves by the women of the country to take the place of kid gloves became universal during that period. The fabric gloves were made at the behest of the great department stores of this country, who came to the manufacturers and asked them if they could not produce something that would be a commercial success in that line. They did so. Yet when they came here to ask for a protective rate, they were denied, and the result is that the fabric-glove industry has been destroyed in this country. These great department stores are anxious that industrial employees leave a goodly portion of their pay check with them every week, but they are arrayed in battle formation against their employers when they seek tariff rates that will enable them to meet foreign competition.

Mr. GARNER of Texas. Mr. Chairman, will the gentleman yield there?

Mr. CROWTHER. Certainly.

Mr. GARNER of Texas. Did they not apply to the Tariff Commission for an increase of duty?

Mr. CROWTHER. Yes. That was denied them.

Mr. GARNER of Texas. How do you account for it, under your statement, that they would not give them relief?



Mr. CROWTHER. I can not account for it. This is one instance at least where the flexible clause did not work to the advantage of the American manufacturers. The statement of the President, as I remember it, was that in spite of an ad valorem of 75 per cent there had been a constant falling off in production in this country. That was a statement of fact, but, to my way of thinking, was a logical reason for allowing the increase of 50 per cent provided by the flexible clause rather than an argument for denying it.

I am not so much concerned about foreign production costs. I really do not think we need them and if I could have my way about it I would do away with necessity of ascertaining them. Allow me to present a practical case. If the gentleman from Maine [Mr. HERSEY] is a manufacturer in his State and I am an importer in a neighboring city importing the same kind of goods he manufactures, he is not at all concerned about production costs at the factory in Germany or France. What he is really concerned about is the price at which I can buy that article laid down on the American dock with freight, insurance, and packing paid. That is what interests him and nothing else. I do not think it is necessary for us to go snooping into the offices of business concerns in foreign countries, as we do under our present Tariff Commission act, and endeavor to examine their books and records for the purpose of determining their production costs. I do not think that if any of you gentlemen had a business and agents of the Government from France, Italy, or Germany came to your office Monday morning and said, "We are here to go through your books for the purpose of ascertaining your production costs in this plant," that they would get a very warm reception. They might get a courteous reception, but it would not be overwarm or overenthusiastic, and you would probably get rid of them as quickly as you could, and I do not think you would grant their request.

Here is what Great Britain did when they wrote their safeguarding of industries clause a number of years ago. You will remember that the Englishman is very loath to use the word "protection," but he calls it safeguarding of industry. They wrote that safeguarding of industries act during the war period, and they have added many hundreds of articles to it since, at a 33 1/3 per cent duty.

I might add, in passing, that Great Britain is gradually changing as the years go by and the Cobden theory of free trade is becoming gradually dissipated and thrown to the winds. She is becoming very strongly and very materially a country where they believe in the protection, the safeguarding, as they call it, of industry. Here is what they adopted with regard to value:

Where the rate of a duty of customs imposed by this act on any article is a percentage of the value of the article, that value shall be taken to be the price which an importer would give for the article, if it were delivered, freight and insurance paid, in bond at the port of importation, and duty shall be paid on that value as fixed by the commissioners.

So England long ago determined to have home valuation. I trust we may be able to incorporate such a provision in our next tariff bill in connection with ad valorem duties.

When the House and Senate wrote the Fordney-McCumber bill they in a sense declared their fallibility when they agreed to the flexible clause, because they knew conditions abroad were such that very rapid and important changes were liable to take place in the succeeding months and years. They used their best judgment and it has been helpful in several cases. But here is another thing they did. They declared themselves absolutely infallible as regards the free list. They said, "That is all right; we have made no mistakes there," and so they left to the man whose product was on the free list no avenue of relief. There was no door to which he could go and knock and ask for help. As I wrote to my friend in the cement business, he must grin and bear it until we have an opportunity to treat him fairly by allowing a protective rate on cement.

It seems to me that the omission of a method of benefiting the free list has worked a great injustice to the brick, cement, monumental stone, cedar shingle, and calf-leather industries, all of whom find themselves on the free list.

Mr. ALLGOOD. Will the gentleman yield?

Mr. CROWTHER. Yes.

Mr. ALLGOOD. Has the gentleman any idea when we will have another revision of the tariff?

Mr. CROWTHER. I will tell the gentleman this: We will have a revision of the tariff in about 1929, after we elect a Republican President and a Republican House and Senate. Then we will have a revision of the tariff.

Mr. ALLGOOD. Have we not a Republican President, a Republican House and Senate now?

Mr. CROWTHER. No. We have a majority in the House; sometimes we have a good majority, but some of them run away from us occasionally and vote with you gentlemen on the Democratic side, and we surely have not a Republican majority in the Senate.

Mr. BLACK of New York. Will the gentleman yield?

Mr. CROWTHER. Yes.

Mr. BLACK of New York. Does the gentleman consider Herbert Hoover a Republican?

Mr. CROWTHER. Well, I did not intend to bring Mr. Hoover's name into this discussion, but Mr. Hoover has declared his faith in a protective tariff on more than one occasion.

Mr. BLACK of New York. The gentleman is my expert on the Republican side, and I follow him.

Mr. CROWTHER. Well, I want to say to the gentleman that there has been considerable doubt expressed regarding his political faith, but inasmuch as he has occupied a Cabinet position for nearly eight years under two Republican Presidents and has served his country in a tremendously creditable manner, it seems to me that by this time he should be recognized as a Simon Pure.

Mr. BLACK of New York. The gentleman is not infallible on that, is he?

Mr. CROWTHER. Oh, no; and I am approaching presidential nominations with an open mind.

Mr. BANKHEAD. Does the gentleman from New York hope to get rid of these 14 Republican Senators in 1928?

Mr. CROWTHER. Their constituents will have a voice in that matter, and I am not certain that the distinguished Members the gentleman from Alabama refers to will all be candidates in 1928.

Mr. BANKHEAD. The gentleman believes in representative form of government and believes in the will of the majority ruling, as expressed through their elected representatives?

Mr. CROWTHER. Oh, yes; but I hope that during the intervening period between now and election they may give prayerful consideration to the facts and awake to a realization of their duties as Republicans.

Mr. BANKHEAD. And unless the prayer is effective the gentleman wants to stand pat?

Mr. CROWTHER. One or the other. I am a good deal like the Puritans, who said they trusted in God but wanted to keep their powder dry.

Mr. ALLGOOD. Will the gentleman yield?

Mr. CROWTHER. I will be glad to yield.

Mr. ALLGOOD. The gentleman spoke about not getting any revision of the tariff until 1929, or until the country elected a Republican President and a Republican House and Senate; is it not a fact that to-day the Democrats are in favor of a revision of the tariff?

Mr. CROWTHER. Downward.

Mr. ALLGOOD. Very well; but we are in favor of a revision of the tariff.

Mr. CROWTHER. Yes; downward.

Mr. ALLGOOD. So, does not the gentleman think there will be a better chance of getting a revision of the tariff by electing a Democratic President and a Democratic House and Senate rather than to elect a Republican administration?

Mr. CROWTHER. I will say to the gentleman it is not always for the good of the country when the Democrats revise the tariff or when they write a tariff bill; several such instances are on record.

Mr. ALLGOOD. But the gentleman wants the tariff revised.

Mr. CROWTHER. Yes; the way Republicans revise it—for the protection of the industries of the country. You Democrats are now expressing great solicitude for the farmer and declaring that the tariff is of no benefit to him. When you wrote the Underwood bill what did you do for the farmer?

Here is the way you treated the farmers that so many of you people are so earnest in your protestations regarding the welfare of. This list has been printed before, but it can not be printed too often. I have here the deadly parallel columns, and they show what trifling consideration you had for the farmers when you wrote a tariff bill. Here is a list of the products:

The tariff levy under the Underwood and Fordney Acts

Product	Underwood free trade, 1913	Fordney protective act, 1922
Beef and fresh veal.....	Free.....	3 cents per pound.
Cattle weighing less than 1,050 pounds each.....	do.....	1 1/2 cents per pound.
Cattle weighing over 1,050 pounds each.....	do.....	2 cents per pound.
Lamb and mutton.....	do.....	Lamb, 4 cents per pound; mutton, 2 1/2 cents per pound.

## The tariff levy under the Underwood and Fordney Acts—Continued

Product	Underwood free trade, 1913	Fordney protective act, 1922
Bacon and ham, fresh, prepared, or preserved.	Free	2 cents per pound.
Meats	do	20 per cent.
Cream	do	20 cents per gallon.
Milk	do	2½ cents per gallon.
Eggs	do	8 cents per dozen.
Horses and mules	10 per cent.	\$30 per head.
Barley	15 cents per bushel.	20 cents per bushel.
Buckwheat	Free	10 cents per hundredweight
Corn	do	15 cents per bushel.
Oats	6 cents per bushel.	Do.
Rye	Free	Do.
Wheat	do	42 cents per bushel.
Apples	10 cents per bushel.	25 cents per bushel.
Cherries	do	\$1 per bushel.
Cider	2 cents per gallon.	5 cents per gallon.
Peaches and pears	10 cents per bushel.	25 cents per bushel.
Butter	2½ cents per pound.	12 cents per pound.
Beans, green	25 cents per bushel.	30 cents per bushel.
Beans, dried	do	\$1.05 per bushel.
Peas, dried or green	10 cents per bushel.	60 cents per bushel.
Onions	20 cents per bushel.	57 cents per bushel.
Potatoes	Free	30 cents per bushel.
Hay	\$2 per ton.	\$4 per ton.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. MADDEN. Mr. Chairman, I yield 15 minutes more to the gentleman from New York.

Mr. ALLGOOD. Will the gentleman again yield?

Mr. CROWTHER. Yes.

Mr. ALLGOOD. The gentleman is now bringing an accusation against his own party because they will not revise the tariff, and I do not see how the gentleman can hold out any hope of any revision of the tariff through Republican rule in this country.

Mr. CROWTHER. No; I do not bring any accusation against my party. I am bringing an accusation against the gentleman's party when it wrote the Underwood tariff bill. You failed to do the very thing you are now asking us and hounding us to do, when you had the opportunity.

You had a chance to do something for the farmer, but you did not give him any consideration. Your leader at that time brought in a bill and said, "Here is a bill without an ounce of protection." That statement was afterwards modified by some of the Members, who said that when they wrote such a bill it could not help but result in "incidental" protection.

Mr. BLACK of New York. Will the gentleman yield?

Mr. CROWTHER. Yes.

Mr. BLACK of New York. But the farmers were not going broke during the Democratic régime.

Mr. CROWTHER. During the Democratic régime nobody was broke in this country. [Applause on the Democratic side.] A bloody World War raised a tariff barrier higher than Republicans would have constructed, for it was a virtual embargo. We were raising billions in Liberty loans, while the manhood of European nations were being taken away from their firesides in order that they might fight and protect their homes and protect their government. Then our boys marched away to end the conflict. We were supplying the world, as well as our own people and our Army with foodstuffs and necessities of every character. That was an artificial condition that had no bearing at all on the tariff situation. Nobody knows what would have happened to the country under the Underwood-Simmons bill if it had not been for the war. The war was your very salvation.

Mr. STRONG of Kansas. Will the gentleman yield?

Mr. CROWTHER. Yes.

Mr. STRONG of Kansas. But after the war was over and when the ill effects of the Underwood tariff law commenced to have an effect, immediately all agricultural prices went down because of the importation of agricultural products; and then the farmers did begin to go broke.

Mr. CROWTHER. Exactly.

Mr. STRONG of Kansas. We passed an emergency tariff law and put a tariff on everything they raised.

Mr. CROWTHER. Let me say there is really no need of getting unusually excited about the tariff discussion, because, gentlemen, it does not make any difference what political party is in power we are going to have a tariff bill just the same. [Applause.] The bills may vary somewhat as regards the rates and as regards the various commodities on the free list, but we are going to have a tariff bill.

You have tried your hand at writing one or two, and I think you have learned something, probably; and the change of heart which is exhibited here to-day shows that if you wrote a new one you would have considerably more consideration

for the farmer than you had when you wrote the Underwood bill.

As I have said, there is no need of getting excited about it; but what has concerned me very considerably is this: When the committee of Democratic members of the Ways and Means Committee go into executive session to write a tariff bill I feel like asking them this question: "You are about to enter upon a project to which you are unalterably opposed, which your great leaders have declared unconstitutional. Do you still believe this?"

Within the last few years one of them withdrew that statement. Your great President Wilson withdrew, I believe, the statement that it was unconstitutional. Now that you are going to write a tariff bill, let me ask you this question: "You are unalterably opposed to the project; you really believe—some of you, at least—that it is unconstitutional and ought not to be done; now, tell me how you write your duties, by what process of analysis or deduction do you come to conclusions that allow you to write the rates into your tariff bill?" Do not tell me you do it to produce revenue, because no six of your men on this side agree as to how much revenue ought to be produced; and I shall ask if a duty on rice and goat hair is for revenue purposes. I have heard it stated here that \$300,000,000 seems to be the peak limit, and then I heard another Democrat get up and deny that, and say that he had never made such a statement. I think it was the gentleman from Texas [Mr. BLACK], who now sits before me. So I ask, "Upon what basis do you draw these deductions?"

Mr. MADDEN. What was the peak of \$300,000,000?

Mr. CROWTHER. Many prominent Democrats have thought that was about as much as we ought to take in as a matter of revenue at the customhouses.

Mr. MADDEN. That is more than we ever took in under any of their tariff proposals, but we have been taking in over \$600,000,000 since then.

Mr. CROWTHER. Absolutely; and if you believe in a tariff for revenue you Democrats ought to get up and shout three times a day for the Fordney-McCumber bill, because it has been the greatest revenue producer the country has ever known; that is, if you are honest in your contention and belief in a tariff bill for revenue.

Mr. OLDFIELD. Will the gentleman yield?

Mr. CROWTHER. Yes.

Mr. OLDFIELD. The gentleman has been asking the question as to how Democrats write tariff bills. Would the gentleman kindly explain to the House how Republicans write them?

Mr. CROWTHER. If the gentleman will answer my question, I will answer his.

Mr. OLDFIELD. Do not these great corporations write the schedules themselves?

Mr. CROWTHER. No; the gentleman and I had that argument on the floor before. He then promised that he would put the proof in the Record, and I said I hoped the gentleman would not forget to place the proof in the Record, and he said he would not, but he never has put it in. His memory is so poor that we have never seen them.

Mr. OLDFIELD. Did not the steel lobbyists write the steel schedule, did not the woolen people come here and write the woolen schedule, did not the cotton people come here and write the cotton schedule? I say they did.

Mr. CROWTHER. That statement is an insult to the Members of the Ways and Means Committee. That statement is not a statement of fact. The gentleman from Arkansas has no right to belittle the manhood of a committee of this House like the Ways and Means Committee by any such charge as that. I say that for the benefit of the Democratic Members as well as the Republicans. It may be that a charge of that kind would meet approbation in the gentleman's territory, but not here.

Mr. OLDFIELD. Everybody knows that people who want a tariff on goods come here and write the schedules.

Mr. CROWTHER. Oh, no; the gentleman offered to produce proof of that and put it in the Record, but he has never done it.

Such statements are utter nonsense; when you Democrats write a tariff bill you write it, and when the Republicans write a tariff bill they write it. You can not fool the people with such bunk as that. You may get away with that kind of a speech in Arkansas, but it will not meet with a very warm reception in any other State in the Union.

## CALF LEATHER

Now, we have the calf-leather industry, and 40,000,000 pounds of kip and calf leather came in last year. The calf-leather tanners do not know how much longer they can hold out. This product is on the free list.

Mr. GREENWOOD. Will the gentleman yield?

Mr. CROWTHER. Yes.



Mr. GREENWOOD. The gentleman from New York thinks the tariff needs revision?

Mr. CROWTHER. I do.

Mr. GREENWOOD. Are we going to revise it at this session?

Mr. CROWTHER. No; the President has expressed himself on several occasions as opposed to revision at this time.

Mr. GREENWOOD. Can not the Congress do something even if the President is against it?

Mr. CROWTHER. I want to say it would be extremely unwise to touch the tariff at this session, because it would take six or seven months to do it. You can go into the smoking room and revise the tariff in 10 minutes, you can revise it conversationally walking from here to the House Office Building; but it takes the Committee on Ways and Means, the Finance Committee of the Senate, and Congress six or seven months of hard work after complete hearings and the help of the Tariff Commission to draft a tariff bill.

Mr. GREENWOOD. There are certain glaring rates there out of tune with the present situation confessedly. The gentleman mentions competition. If you can keep out that foreign competition by raising the rates and improving the situation in America, why do not you do it?

Mr. CROWTHER. We can not do it now.

Mr. GREENWOOD. Take that one schedule. Why not offer an amendment to the present law?

Mr. CROWTHER. Because under the rules of the House that opens up the whole bill.

Mr. GREENWOOD. Then let us open it up.

Mr. CROWTHER. You can not do it. It can not be done under the present circumstances. You gentlemen have good political sense. It is your political sense that keeps you prodding us continually on this subject.

Mr. GREENWOOD. If it is a good thing for America, if it needs to be raised, raise it, and if the rates need to be lowered, lower them; but let us not close the door, in view of the gentleman's argument that the rates need adjustment.

Mr. CROWTHER. If the gentleman was in the same position at this time, he would not open the tariff bill. It is a great advantage to be in the minority because you can be like blazes for something that you do not really want. [Laughter.]

Mr. GREENWOOD. I say that if I had anything to do with it I would open it up, and if it needs raising I would raise the duty.

Mr. CROWTHER. That is good Republican doctrine, and I hope the gentleman from Indiana will help us when the opportunity presents itself.

Here is another industry, the cement industry, that got somehow or other on the free list in 1922. A man 40 miles from me who has \$4,000,000 invested in a plant said to me the other day that he is faced with a shutdown for the first time in 19 years. Why? Because cement is coming into America at such a tremendously low rate from Belgium, France, and England that he can not meet the competition. They have what they call chalk beds over there in those countries, where they just put those gigantic steam shovels in and take it out of the side of the hill and put it into barrels. If you want to go into the cement business in the United States, the first most necessary possession is a limestone quarry with an inexhaustible supply.

You have to grind that limestone with tremendously expensive crushing machinery, and by the time you get that limestone down to the same consistency as these people take it out with the steam shovel, which costs 5 cents a barrel in that country, you have been put to an expense of 29.4 cents a barrel in the United States. They are bringing the cement over to the southeastern ports of the country at a freight rate of 10 cents a barrel. The rate from Glens Falls, N. Y., to New England is 54 cents a barrel. The cement producers are on the free list, and they have no avenue of escape.

In five years more than 9,000,000 barrels of foreign cement have been brought into this country duty free. Briefly, the direct losses to American prosperity can be accounted for as follows:

Domestic labor lost in wages.....	\$8, 876, 387
American railroads lost in business amounting to.....	6, 336, 623
Coal mines lost sales totaling.....	1, 741, 387
Textile mills and cotton growers lost business amounting to.....	528, 326
Machine shops and foundries lost sales amounting to.....	3, 465, 000
Domestic cement industry lost sales amounting to.....	16, 132, 152

These represent only the major and direct losses. What these importations cost the country as a whole in stagnated business due to depleted buying power and loss of confidence on the part of investors can only be conjectured.

Mr. GARNER of Texas. Mr. Chairman, will the gentleman yield?

Mr. CROWTHER. Yes.

Mr. GARNER of Texas. If I understand the gentleman's position with reference to the protective tariff, it is that he would produce everything in this country that we could produce and would not import anything that can be produced in this country?

Mr. CROWTHER. I should favor such a proposal.

Mr. TREADWAY. And would not the gentleman prefer that to not having any of our industries employed in this country, everything being brought in under a Democratic administration, at such rates as would paralyze industry?

Mr. CROWTHER. Yes. I think I can agree to both of those conclusions without any inconsistency. Mr. Chairman, there is another idea that I try to express to the people among whom I live and everywhere I go. We talk considerably in this country about patriotism and about the making of patriotic speeches and the waving of the flag. I think the most loyal and patriotic thing that Mr. and Mrs. American Citizen can do is when they need either a luxury or a necessity in their home to see to it that they buy something with a label on it "Made in the United States of America," where a decent pay envelope is handed out on Saturday night for an honest week's work. [Applause on the Republican side.]

I want to read something now that explains my sentiment and the issue very clearly. This was written by Thomas Jefferson. Some very wonderful Democrats have written observations in favor of the policy of protection and this is only a little different, but it happens that it expresses my sentiment in this respect:

The prohibiting duties we lay on all articles of foreign manufacture, which prudence requires us to establish at home, with the patriotic determination of every good citizen to use no foreign article which can be made within ourselves, without regard to difference in price, secures us against a relapse into foreign dependency.

That is pretty good Republican doctrine, written by a great Democrat; and it is pretty sound, patriotic American doctrine.

Next we have the cedar-shingle industry that you have heard so much about. They are also on the free list, and I understand there have been 5,000 of their shingles sent here. I do not know whether they are to spank the Republicans or the Democrats. Anyway, they are here.

Mr. OLDFIELD. I think they are to spank the Republican members of the Committee on Ways and Means.

Mr. TREADWAY. And they came two in a bunch.

Mr. CROWTHER. Yes; to spank both. But there has been such dereliction on the part of the Democratic Members on several occasions that it warrants more than one spanking.

Mr. OLDFIELD. But the gentleman will admit that the Democrats have been voting in the committee to open up the tariff bill and the Republicans have not.

Mr. GARRETT of Tennessee. And looking at the size of some of the Republicans on the Committee on Ways and Means it occurs to me that it will probably require more than one shingle to spank them.

Mr. CROWTHER. And if the punishment was made to fit the crime, two shingles would not be too many when properly applied to the Democrats.

Bricks are also on the free list. Common brick imports have increased from 2,600,000 in 1923 to 114,345,000 in 1926. They come in largely from Belgium, and are shipped as ballast, with no freight charge, only a loading and unloading charge. Let me say that great as is the necessity, in many cases I believe it would be political and industrial suicide to attempt to revise the tariff at this time. You would upset the whole business of the country and industry would not know "where it was at."

Mr. GARNER of Texas. It is, then, for political reasons?

Mr. CROWTHER. No; not wholly for political reasons. It would disrupt business, and nobody can predict what the consequences would be.

Mr. GARNER of Texas. If you were to undertake to revise the tariff at this Congress, you would not be able to get the bill you want.

Mr. CROWTHER. You could not secure its passage in the other body, but I think we could do business with you liberal, open-minded Democrats and get the bill through the House. [Laughter and applause.] You were speaking of the things that require spanking. I want to quote here from the Poindexter plan of farm relief. It goes on to say:

As a noted Senator once said, referring to a distinguished Congressman from Texas in the discussion of the wool schedule of the tariff

bill, "that the distinguished Congressman, although he was a Democrat and supposed to be against the tariff, has taken pains to secure in the Underwood-Simmons tariff bill thorough protection for his Angora goats, while he left the Rocky Mountain ram to face the wintry blasts of a Wyoming winter without protection."

[Laughter.]

Now you see there is use occasionally for the shingle, and it is not always on one side of the House. [Laughter.]

I call your attention to a page from the magazine called "The Farmer," that came to me. I am going to ask permission to extend my remarks by inserting this article and some important letters that I have received from time to time.

The CHAIRMAN. The gentleman from New York asks unanimous consent to extend his remarks, including the articles referred to. Is there objection?

There was no objection.

Mr. CROWTHER. He says in this article—

We do not produce our surplus. We import it.

If you will read it, you will find a great deal of substance and truth in the article. It says:

It has been taken for granted ever since the price smash of 1921 that American farmers were producing the surplus which has depressed their markets. They have been exhorted from all quarters to whoa up production—by college professors and Congressmen, by newspaper writers, bankers, market experts, and wagonloads of miscellaneous statisticians.

In ignoring this advice farmers have again proved their sound judgment. For the surplus which has plagued them since the war, which pesters them now, and which will continue to make trouble until it is taken firmly in hand, does not come chiefly from American farms.

Most of the fraction too much of soil stuffs which overloads our markets and lowers prices is brought into American markets from all the far corners of the earth.

A few men have seen this all along. One of them is Secretary of Commerce Herbert Hoover, who has summed up the matter in the statement that we are importing farm products which we could produce ourselves to the tune of \$1,000,000,000 a year. Certain things, like coffee, rubber, and probably to some extent sugar, we can not produce and must continue to buy abroad. But these are the smallest part of our huge import total.

Let's open our minds to the full meaning of this situation. What it signifies is that in just the last few years 2,000,000 American farm folks have been thrown out of their homes, forced off the land into the towns and cities to make a market here in this country for peanut oil and low-grade eggs from China, for coconut oil from the Philippines, cattle hides from Argentina, cheese from Italy and Switzerland, wool from Australia, silk from Japan, and flax, fruit, vegetables, rice, nuts, and many other products from up and down the wide earth.

It isn't only that we have imported \$1,000,000,000 worth of such things which have taken the place of products from our own farms, but the competition of these imports in our home markets has lowered the price there of every farm product from alfalfa to oranges. It has forced us to export heavily to foreign markets, which has cheapened our entire farm output.

Doubtless the total loss thus inflicted on American farmers would have kept the families on the land that have been squeezed off, besides adding to the prosperity of those who have survived this competition.

We import, for instance, hundreds of millions of pounds of vegetable oils every year. Add our big cheese imports to the portion of these oils that is made into butter substitutes and it means the displacement of about 800,000 cows that might be making a home market for alfalfa, corn, and other feeds.

Say that this dairy opportunity was saved to American farmers. Say also that they were given a part of the sugar-beet market, now narrowed by our annual import of 8,000,000 pounds of sugar, along with a home demand for the wool clip of 20,000,000 sheep and the egg yield of several million hens, both of which products we now buy abroad yearly in those amounts. Given these added outlets, farmers in single-crop regions, as in the Wheat Belt, could balance up their business pretty profitably.

Here is a chance for the politicians who have been preaching farm diversification to bring it about. Let Congress shut out the foreign competition that prevents farmers from raising more of a great many products.

Vegetable-oil imports replace hog fat as well as butter, cheapening hogs and forcing us to find lower-priced foreign markets for much pork production.

Tomato growers are feeling the pinch of annual imports from Italy of over 80,000,000 pounds of canned tomatoes—one-sixth as much as our total home output—along with 18,000,000 pounds of Italian tomato paste. And other vegetables are also being imported in large and growing quantities.

If space allowed, the list might be greatly extended. It all points a simple way to bring in some real farm relief—provide a tariff that will

shut out these unnecessary imports, or at least lift the price of them high enough to give American farmers a competitive chance.

Let us open our minds to the full meaning of the situation. I read:

Fully 50 per cent of the cedar mills now remaining in business are in reality bankrupt and are only continuing because creditors refuse to accept them in payment of debts or are struggling on in the hope Congress will soon right the wrongs done to American labor, business, and industry.

#### REVENUE LOSSES

By reason of the free and unrestricted importation of shingles and cedar lumber the United States Government is annually losing more than \$2,000,000, which of a right should be collected as a fair import tax as a consideration for the marked privileges British Columbia manufacturers enjoy in American markets, as well as to equalize production conditions between British Columbia and the United States.

Canadian manufacturers have just as free access to American markets as do Americans, but they pay no American taxes and in no way share our governmental expenses, and are therefore even more privileged in our own American markets than are American manufacturers. It is only fair that foreign manufacturers who enjoy American markets should bear a fair share of governmental expenses incident to the maintenance of such markets.

#### AMERICAN COMMERCE LOSSES

It would have been easy for the Tariff Commission to have ascertained the approximate losses to American labor and business resulting from the free importation of shingles and cedar lumber to the United States and the forcing of American labor into direct and unrestricted competition with orientals. The commission could have found that the annual importation of shingles and cedar lumber amounted to more than \$12,000,000. It could have shown American labor lost the wages paid for the production of such finished products, and that American business lost the increased commerce incident to so large an increased pay roll. Annual labor idleness should rightly have received due notice in the report.

It is conservative to estimate that American labor is annually deprived of the right to earn an additional \$10,000,000 in wages and that American business is annually curtailed more than \$50,000,000 because of the free and unrestricted importation of shingles and cedar lumber to American markets, in addition to the deprivations and hardships imposed by idleness and unemployment of labor.

The commission should have pointed out that the existing tariff law affords actual and positive protection to oriental labor in British Columbia and to a foreign industry, because it operates directly to force manufacture in a foreign country, to the detriment of American labor, industry, and business.

Here is a letter that I have received:

(Tariff committee: N. C. Jamison, Jamison Lumber & Shingle Co.; W. C. McMaster, John McMaster Shingle Co.; W. C. Schultheis, Seattle Cedar Lumber Co.; George Bergstrom, C. B. Lumber & Shingle Co.; E. C. Miller, E. C. Miller Cedar Lumber Co.; W. A. Morrow, East Hoquiam Shingle Co.; J. Schwarz, Crescent Shingle Co.; N. Jerns, Jerns Shingle Co.; D. H. Lowery, Whatcom Falls Mill Co.; E. J. Sealey, Fred A. England Lumber Co.; D. H. Carpenter, W. I. Carpenter Lumber Co.; Hugh Schafer, Schafer Bros.; A. C. Edwards, committee chairman, Edwards Shingle Co.)

#### UNITED STATES CEDAR INDUSTRY,

Everett, Wash., January 3, 1928.

HON. FRANK CROWTHER,

Member of Congress, Washington, D. C.

MY DEAR CONGRESSMAN: Our present tariff act charges an import tax on logs when imported to American mills for manufacture by American workmen, grants free and unlimited exportation of American logs to foreign countries, and admits free and unrestricted importation of shingles and cedar lumber to all United States markets.

Canada charges an export tax on logs, rigidly restricts log exportations, and at times completely prohibits shipment of Canadian logs to American mills. Canadian sales and import taxes practically bar all American shingles and cedar lumber from Canadian markets.

Such laws afford actual United States tariff protection to British Columbia shingles and cedar-lumber production; they give the oriental labor of Canada a legislative preference over American cedar workers; they operate to afford a practical subsidy to British Columbia production of shingles and cedar lumber; and just as effectually penalize American labor and industry for attempting to produce cedar products on American soil.

This congressional act has already exterminated more than 50 per cent of the productive capacity of the American red-cedar shingle industry. Fully 50 per cent of all remaining American cedar mills are practically bankrupt and certain of early failure unless relief is promptly granted by Congress from these congressionally discriminatory conditions.



These extreme conditions are forced on the American cedar industry and American labor through an act of Congress. They are unjust, unfair, un-American, and contrary to the pledges and promises of all political parties; they constitute an indisputable wrong of Congress against American labor and industry and of a right should be speedily corrected.

We are inclosing an industry statement showing our distressed condition. We are begging for correction of this congressional wrong, so that our industry may not be further exterminated nor our labor more completely pauperized, and that American business may not be needlessly stagnated. Being Americans we are at least entitled to an equal chance in the production of American products for American consumption. That is all we ask.

Yours very truly,

A. C. EDWARDS,  
Tariff Committee Chairman.

Mr. GARNER of Texas. Will the gentleman yield right there?

Mr. CROWTHER. Yes.

Mr. GARNER of Texas. Are you going to say in the coming campaign that the McCumber-Fordney tariff bill failed to give you adequate protection?

Mr. CROWTHER. No. But I say that if the rates had been as high as they should have been we would have had no trouble. But our party and the committee did the very best they could under the circumstances, and we have had an unusually long period of real prosperity.

Mr. GARNER of Texas. It was the fault of your committee?

Mr. CROWTHER. Oh, no. If the gentleman from Texas had come into the committee and looked at some of the rates that were suggested, and that would have been truly protective, he would have laughed at them, and said that they were absurd. Many industries are suffering because they were put on the free list, and others are suffering because of the return of great industrial progress abroad. Let me read this to you before the gentleman from Alabama interrupts me:

SAYING IT WITHOUT FLOWERS

Our former ambassador to Germany during the Wilson administration, James W. Gerard, speaking as a citizen at large, uses strong words in reference to the attitude of Europe toward the United States. He says:

"The only way the United States of America can defeat the hatred of European nations toward us is to maintain the strongest fleet, Army, and air force in the world."

These are the words of a man who earned the confidence of the country in most trying times. In a public address last week he said, "Europe is boiling," and that knowing us to be economically rich, and resenting our immigration restrictions, as well as our protective tariff, "they hate us," as shown by the proposal in the league council to act against commercial supremacy—a "direct slap" at the United States.

Speaking as a Democrat, Mr. Gerard says:

"Germany is now ready for producing goods on a scale greater than any other foreign nation. A high tariff is the only protection the United States has to offer, for, if it is lowered, the high-wage American worker will meet the direct competition of the low-wage German. As a Democrat, I think it impossible to change the present tariff."

There is some degree of inconsistency in the attitude of many of the Democratic brethren who are strong advocates of restrictive immigration but are quite willing to let the goods manufactured by these peoples come in free of duty.

[Cries of "No! no!" on the Democratic side.]

Oh, well, if not free, you want a very low rate of duty on them, do you not?

Mr. GREENWOOD. We want to adjust some of these duties which we think are not right.

Mr. CROWTHER. No; the first thing the gentleman from Arkansas [Mr. OLDFIELD] would do would be to take off the duty on aluminum. You would not have heard so much about aluminum had not the Secretary of the Treasury happened to be interested in it. It would not have been mentioned otherwise, and it is only mentioned to show personal animus. The fact is that the American housewife can buy aluminum utensils at a remarkably low price, and aluminum ware is rapidly displacing tinware in the household.

Mr. BANKHEAD. Will the gentleman yield?

Mr. CROWTHER. Yes.

Mr. BANKHEAD. I ask this question, in absolute good faith: What consideration does the gentleman think these western agricultural States are entitled to on this question of the necessity for a revision of the tariff, as expressed by the votes of their representatives in the Senate of the United States, when they voted deliberately for a resolution at this session of Con-

gress saying that agriculture is prostrate in their section of the country, and they believe one of the reasons for the depression is on account of the unfair proportion of tariff rates? They passed a resolution and 14 Republican Senators, at least nominally, voted for that resolution. Does not the gentleman think as a Republican that those farmers in that great expanse of country are honestly represented through the expression of their Senators when they say they need some reduction in the tariff?

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. MADDEN. Mr. Chairman, I yield the gentleman four additional minutes.

Mr. CROWTHER. I will say to the gentleman from Alabama that I feel toward the parties the gentleman refers to as many members of the Democratic Party felt toward Grover Cleveland at one time, and as many of them felt toward William Jennings Bryan a few years later. That is my answer to that question.

Mr. BANKHEAD. I do not know whether that is fair or not.

Mr. CROWTHER. I think it is perfectly fair.

Mr. BANKHEAD. I know it is in contravention of the rules to say anything about the vote of a Senator, but Senator CAPPER, Senator BORAH, Senator NORRIS, and some others—who have certainly heretofore had the brand of Republicanism upon them—voted for that resolution.

Mr. CROWTHER. I agree with the gentleman from Alabama that it is probably an infraction of the rules to discuss the votes of Senators. I am of the opinion, however, that the distinguished Members at the other end of the Capitol are certainly well enough acquainted with the constitutional prerogatives of this House to know that no such legislation as that had the right to be initiated in that body.

Mr. BANKHEAD. And they recognized that constitutional prerogative.

Mr. CROWTHER. No; they did not recognize it. They failed to recognize it; but that, no doubt, meets with the approval of the gentleman from Alabama, and meets with the probatation of most Members on his side, because anything that looks like a disturbing factor among Republicans meets with your earnest approval. [Applause.]

Mr. ALLGOOD. Will the gentleman yield?

Mr. CROWTHER. Yes.

Mr. ALLGOOD. Are we to infer from the gentleman's remarks that he believes the economic conditions throughout the country are not good?

Mr. CROWTHER. Well, they are not as good as they might be.

Mr. ALLGOOD. Then there is not general prosperity under Republican administration.

Mr. CROWTHER. Oh, I think the country is generally prosperous, but there are very many spots that are bad; but let me say to the gentleman that in the spots where conditions are bad and where industry is lagging, it is because they have not sufficient tariff protection and due to the keen competition with foreign-made goods. That is the reason we have these conditions—too many foreign goods on our store counters—and the tariff should not be revised downward; but it should be revised upward in order to keep these goods out of the country. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. BYRNS. Mr. Chairman, I yield to the gentleman from Indiana [Mr. CANFIELD] such time as he desires.

Mr. CANFIELD. Mr. Chairman, ladies and gentlemen, I am going to take just a few minutes of your time to discuss a question that I feel is not only of great importance to the farmers of the country but to the average business man and laboring man as well. The question I refer to is farm legislation, and, ladies and gentlemen, it should be given consideration by this body without delay. We should face it squarely and cease trying to prolong or dodge it, as it seems to me this body is trying to do.

Every Member of this House knows the farmers are not getting a square deal, and why a deaf ear should be turned to their demands for right and justice I personally can not understand. This body should not only be anxious to pass farm legislation in the interest of our farmers but in the interest of all business and labor, for while our farmers are held down as they are now, and have been for several years, their purchasing power is gone, and this hurts both business and labor.

We have in this country 35,000,000 of our population feeding the other 80,000,000. Thirty-five million held down merely be-

cause the question of devising and applying the proper remedy has not been taken care of by those that have the power to act. The buying power of 35,000,000 people practically cut off because the farmers are not given the consideration they so justly deserve.

The farmers have been assured for several years by both the Democrats and Republicans that they would be given consideration; and if there was ever a promise made to any group of men that should be fulfilled, it is the one that has been made to the farmers of the country.

We are told by those that oppose farm legislation that farm depression can not be helped by passing a law that will help take care of the surplus. To this my answer is: Big business is able to make their business profitable by controlling production and surplus, and our farmers can likewise be put in position to make a profit if they can control production and surplus, but without the aid of the Government they as a body are not able to organize in a way that this can be carried out, and what we as Members of Congress must do during this session of Congress is to pass a law that will enable them to control production and surplus as big business, through organization, is doing, and then the men that till the soil, working as they do, many of them 16 to 18 hours a day, can and will be able to get a fair return on the money they have invested and for the efforts they put forth. [Applause.]

True, I know there are Members in this body who are trying to sidetrack this question by saying, "Why pass a surplus control bill when the President will not sign it?" My answer to this is we as Members are answerable only for ourselves. It is our duty to do everything we can to see that farm legislation that will be helpful to the farmers is considered and passed without delay, and if the President in his wisdom feels it is his duty to veto such a measure and deprive the farmers of what is justly due them, that is up to him and not up to us as Members of Congress; and gentlemen of the House, I do hope that we can depend on the Members on the Republican side that are interested in helpful farm legislation to vote with those of us on the Democratic side of the House, as you did last year, so that farm legislation that will really help the farmer can be passed; and if the President wants to veto this measure, let him veto it; and if this is done, let us hope there are enough Members in this body that have studied this question and understand it that will vote to pass the measure over his veto so that our farmers can get the consideration they so justly deserve.

I know we have some Members in this body that feel that our farmers can only be given consideration by reducing the tariff, and, I am sorry to say, we have a few back in the district I have the honor to represent that feel that way—men who have given little or no study to the question and do not know what this great question is all about. Gentlemen, I would welcome the opportunity to vote for a reduction on tariff rates that are too high, and I know if we could reduce some tariff rates it would help our farmers, but I also realize that we have as much chance to reduce tariff rates during this session of Congress as we have to build a fence around the moon, so why not get together and pass farm legislation that can and will help the farmers of the country?

We have others that say the only way to help the farmers is to reduce freight rates on agricultural products. Freight rates should be reduced, but we all know there is no chance at the present time to have them reduced.

By investigation we find that the farmers in Canada have much lower freight rates than the farmers in our own country. Wheat growers in sparsely settled Canada have an advantage of from 8 to 10 cents a bushel over our own farmers. We know this should not be; we know that freight rates on agricultural products should be reduced, but we also know that under an administration that is owned and controlled by the moneyed interests there is no chance on earth to get a reduction on freight rates. So why let the impossible prevent us from doing what we can do by getting together and passing helpful farm legislation?

Laws have been passed that are helpful to the big interests of America. Laws have been passed that are helpful to the laborers of America; and why is it, ladies and gentlemen of this great body, that when it comes to our farmers nothing has been done for them?

It is only natural that those that are especially aided by laws enacted in their favor will forge to the front and those that are not able to get legislation that will be helpful to them will have to drop back.

At the present time we have our high protective laws, which allow the big interests to receive higher than fair prices for their products. Labor has been able to have restricted immigration laws passed—and I feel it is right that they should—which has enabled labor to ask higher prices than labor receives in any other country on the globe; but our poor farmers, who a few years ago were asked to produce all they possibly could, are to-day producing a surplus which must be sold; and the trouble is that the surplus must be sold on the world market; and the price the surplus brings determines the price of everything he has to sell.

Therefore some way must be devised to control the surplus produced so that the surplus will not set the price on the entire crop produced as it is doing at the present time.

In the President's message to the Seventieth Congress he made specific recommendation on agricultural legislation. You will remember the President recommended a Federal board and a revolving loan fund at a moderate rate of interest for the necessary financing. As I have said before on this floor, the farmers do not want to borrow any more money; what they want is a price for what they produce, so they can pay off what they already have borrowed. They want to get a price for what they have to sell, so they can pay off their mortgages and keep their homes, that many of them have worked a lifetime to be able to call their own, only to come to a time when they will have to give up everything they have if something is not done to relieve the present depressed agricultural condition.

The majority of the farm organizations of the country are united on what should be done to stabilize agriculture and have agreed that it can be done only by passing legislation that will control the surplus.

On November 27 and 28, 1927, a large number of the leading farm and cooperative marketing organizations met here in Washington to consider the legislation to be recommended at this session of Congress, and at this meeting they authorized the following statement:

A conference representing farm organizations and cooperative associations of the country has been held to consider the farm legislative situation prior to the opening of the session of Congress.

Throughout the meeting there has been complete accord among the farm groups on the principles of legislation for which they will contend. As in the past, they will ask for national legislation to enable farm cooperative organizations to control and manage crop surpluses in the best interests of the producers. The need for such legislation is generally admitted, and the position of these farm groups is definite. There has been no change in the position of the farm organizations represented in respect to the principles of legislation rendered. They want no Government price fixing or Government subsidies, direct or indirect. On the contrary, they insist that such legislation, to be effective, must require each marketed unit of a commodity to pay its share of the costs of its own stabilization and protection.

The group conferred with Senator McNARY on Monday. It was especially emphasized in the meeting with the Senator that subsidy of any sort is not desirable in farm legislation, but that the principle of spreading the overhead cost of centralized surplus-control operations over all the commodity benefited is the best and soundest method yet proposed.

On November 14, 1927, the Corn Belt federations of farm organizations of the entire farm belt met at Des Moines, Iowa, and passed the following resolutions:

Meeting on the eve of the convening of the Seventieth Congress, the Corn Belt committee, speaking for more than a million and a half organized farmers, hereby renews its demand for the passage of the McNARY-Haugen bill, and serves notice that it will accept no compromise which weakens or destroys any of the fundamental provisions of this bill.

Especially will we reject with scorn any measure which does not contain the equalization fee in untrammelled form, and this because this provision constitutes the very heart of the surplus-control problem and must become the basis of any agricultural policy which in the years to come will assure the producers of wheat, cotton, pork, tobacco, rice, and other surplus farm commodities of a dollar of 100 cents purchasing power.

The tragic toll of the existing agricultural situation finds proof in the fact that since the close of the World War the farm debt of the United States has increased from four and one-half billion dollars to twelve and one-half billion dollars and in a shrinkage of farm values of all kinds in the appalling sum of \$20,000,000,000.

It is found in the further fact that while still constituting more than 25 per cent of the Nation's population, the 30,000,000 people of the farms are receiving less than 10 per cent of the national income.



With a condition so deep seated and menacing there can be no honorable compromise.

We are merely asking that the farm dollar shall equal in purchasing power the dollar of those who fix the farmers' cost of production, and less than this means peasantry.

We repeat, therefore, that we will scornfully reject any proposal which does not meet this great problem fairly and honestly.

On the same date, November 14, 1927, the Farmers' Educational and Cooperative Union of America held its national convention in Des Moines, Iowa, and passed the following resolutions:

The National Farmers' Union in their twenty-third annual session hereby affirms its confidence in the principles of the McNary-Haugen bill, and we pledge our full and hearty support to the fight in behalf of its passage. We shall not tolerate any vital changes in the provisions of the bill, such as the equalization fee and farm-organization control. We deeply resent assumed authority on the part of certain business and political organizations to initiate and sponsor farm-relief legislation.

On December 5, 6, and 7, 1927, the American Farm Bureau Federation held its ninth annual meeting in Chicago and adopted without a dissenting vote the following on farm legislation:

We appreciate the actions of the Sixty-ninth Congress, which, in a nonpartisan manner, passed the surplus control bill. If put into operation this measure would have marked the beginning of a sound economic agricultural policy in our Nation.

Commodity marketing and surplus control are inseparable. Cooperative organizations, however, can not bear the load unaided. Under certain conditions in order that operations may be successful the entire commodity marketed and not the member producers alone must, by the application of the equalization-fee principle, meet the requirement that each marketed unit shall pay its share in the cost of its own stabilization and protection.

We insist that legislation which contains the principles embodied in the McNary-Haugen bill with such improvements as experience and good judgment may suggest shall again be passed by Congress.

In addition to these meetings held by the farmers themselves there have been many other meetings that have passed similar resolutions demanding that this Congress pass legislation that will be helpful to agriculture. The reestablishment of a sound agricultural condition is demanded, and rightly so, by the farmers of the country, and this body should act, and that without delay.

The United States is the world's greatest agricultural nation, and to-day those engaged in farming are the least prosperous. About one-third of the population are engaged in farming. Agriculture is receiving about \$12,000,000,000 as its total income, while the total national income is \$90,000,000,000; or, in other words, the one-third of the population that is engaged in farming are receiving \$12,000,000,000 and the other two-thirds of the population \$78,000,000,000. The farming population receives one-eighth and the other two-thirds seven-eighths of the total national income. With these facts confronting us we can not help but realize that there is bound to be depression in the agricultural sections and there will continue to be depression until something is done to make it possible for the farmer to receive a fair price for what he has to sell.

Ladies and gentlemen of the committee, the great question that confronts us as Members of this body is, Are we going to continue our high-tariff policy to help the manufacturing interests and our restricted immigration policy to help organized labor without giving any attention whatever to our farmers; or are we going to pass legislation, without delay, that will put our farmers in a class with those that have already been given consideration by this body? This is a vital question, ladies and gentlemen, and if those of you who are interested in keeping a high tariff for industry and those of you who feel that organized labor should hold the standing it now has are not willing to help those of us who feel that it is time that our farmers should have legislation that will be helpful to them, it is time for the Members of this body who are interested in seeing that the farmers of this country are given consideration to stand as a body until right and justice is given to the farmer. [Applause.]

At the present time the balance between agriculture and industry is out of all reason. The permanent well-being of the future is threatened. Legislation that will be helpful to the farmers must be passed. Something must be done that will bring agriculture up to the high standard given to others. As

it now stands, the farmer is the victim of injustice, and that injustice must be removed.

I understand the Labor Bureau, Incorporated, has given out a report that there are 4,000,000 laboring men out of employment. Think of it! 4,000,000 laboring men out of employment, and the heads of the present administration trying to make everyone think there is prosperity on every hand. How they get by with such statements I can not understand, for everyone knows that outside of a few special privileged manufacturers that are enabled to enjoy prosperity through the special privilege given them by the present high tariff there is a general depression everywhere, business men and banks going broke almost every day, and more especially in the agricultural districts; and, ladies and gentlemen of this great body, this condition can not improve with one-third of our people being discriminated against. General prosperity can only come when all classes are given a chance to make the purchasing power of their dollar equal to the purchasing power of others.

As I stated before, the purchasing power of our farmer has been cut off; he is forced out of the buying market; business and labor are beginning to feel it, and conditions will continue to get worse unless something is done to equalize the balance that now exists between agriculture and industry.

Ladies and gentlemen, the time has come when something must be done; consideration must be given to this all-important question without further delay, or the depressed condition that is being felt throughout the country will grow gradually worse.

To oppose farm legislation because it is new and has never been tried is nothing but discrimination against the farmer.

The manufacturers of the country have been given their high protective tariff, the railroads their high freight rates, and labor its restricted immigration, all of which has helped to give the farmers of the country a black eye.

I wish it were possible to lower the present highway-robbery tariff that we have on the statute books that is robbing the farmers on every hand. I wish it were possible to reduce the freight rates on agricultural products so that our farmers could move their products at a reasonable cost, but this we all realize can not be done under this administration; but, ladies and gentlemen, we can pass farm legislation that will be helpful to our farmers and thereby not only help the farmers get what is justly due them but the small business man and laboring man who are located in the agricultural sections as well.

Why delay this all-important legislation? Every Member of this body knows that something should be done. Let us do it now, so that farmers can and will be put on an equality with others that have in the past been given the consideration they ask. [Applause.]

Mr. MADDEN. Mr. Chairman, I yield 15 minutes to the gentleman from Kentucky [Mr. THATCHER].

Mr. THATCHER. Mr. Chairman and members of the committee, as a member of the subcommittee conducting the hearings on the bill upon which the debate is supposed to be proceeding, the Treasury and Post Office Departments bill, I wish to speak briefly concerning one or two phases of the bill; but before doing that, I may say that in the formulation of this bill and in the conduct of the hearings thereon, the work is very much like the work on the other appropriation bills that come before the Congress. It is intensive in character, and extended. Our own hearings began about the 9th of January and ran without interruption until about the 28th of January. On the post office bill the printed pages of the hearings are about 450. As to the Treasury Department bill, about 950 printed pages are consumed to indicate the testimony adduced, making a total of something like 1,350 pages of printed matter. The two bills are consolidated into a single measure.

In this work our subcommittee has had the invaluable service of the chairman of the Appropriations Committee, who is also the chairman of the subcommittee, Mr. MADDEN. I have counted it a peculiar privilege and honor to serve on this particular subcommittee since I have been a Member of this body, and I think it may not be inappropriate for me to testify concerning something of the work performed by the chairman of the subcommittee, because, after all, he must bear the major burden of the work of the subcommittee. His knowledge, not only of the matters contained in this bill, but his knowledge of matters contained in all the appropriation bills which come before Congress is of a marvelous character, and I feel that the country at large, as well as the two Houses of Congress, owe him a great and everlasting obligation, because he is truly a representative of the taxpayers in this work. [Applause.]

Since the Budget system has been in operation the House Appropriations Committee has been able to scale Budget esti-

mates by more than \$350,000,000, and this result has largely been achieved because of the knowledge and judgment of the chairman of the Appropriations Committee.

In our work we are also assisted by our very competent clerk of the House Appropriations Committee, who is also clerk of the subcommittee, Mr. Sheild. No one can ever quite know the great and important service that is performed by the competent and experienced clerks of these great committees of the two Houses. They are the men behind the scenes, and their work is beyond estimation, so far as its importance is concerned.

I wish to call your attention especially to one or two subjects involved in the bill. Our distinguished chairman himself will at the appropriate time give you the general details set forth in it and in the various estimates which go to make up the many items of the Treasury and Post Office requirements.

I have always been deeply interested in the subject of aviation, and since I have been a member of this subcommittee that subject I have found to be one of absorbing interest. With your indulgence, I wish to submit a few facts and figures evolved in this particular hearing and, incidentally, in the hearings which have gone before since postal aviation has been a vital subject before Congress.

It is very wonderful to see what the growth of aviation has been, and it is very wonderful to note the splendid contribution which the young men of America, in the Army and out of the Army, have made to this great field of enterprise which makes its appeal, and gives its challenge, to the hardihood, to the endurance, to the courage, and to the clean living of the men engaged in it.

Concerning the subject of aviation in the Post Office Department, I may say that one of the most interesting branches of the postal work is the Air Mail Service.

The Postmaster General has properly visualized the possibilities of this field, and Col. Paul Henderson, the immediate predecessor of the present Second Assistant Postmaster General, performed splendid pioneer service in this connection; and it is but fair to say that our subcommittee has, under the wise, constructive leadership of its chairman throughout, recognized the importance of air mails and has cooperated to secure adequate appropriations therefor. It is fair to state also that Mr. Glover, the present Second Assistant, and his aides are carrying on this branch of the service and broadening its scope with wise efficiency.

Mr. JOHNSON of Texas. Will the gentleman yield?

Mr. THATCHER. Yes.

Mr. JOHNSON of Texas. Does this bill further extend the aviation postal service; and if so, in what sections of the country will it be so extended?

Mr. THATCHER. It increases the appropriation for that purpose, and I will touch on that later.

Substantial appropriations were made at the beginning, and within the past three or four years, to enable the Post Office Department itself to engage in the transcontinental carriage of mail by air. The policy was to have the Government demonstrate what could be done in this regard, and thus blaze the way for private enterprise, under contract, to take over this service and to extend it, thus relieving the Government from the investment required and the other hazards involved. This policy has been crowned with success. The Post Office Department has gone out of the business of itself transporting air mail, and private enterprise has taken over the entire work, under contract, and is performing that work efficiently. This is as it should be. Not only this, but many new air mail routes have been added to the original transcontinental routes, and it is apparent that this service will continue to grow.

For the current fiscal year the appropriation for air mail contract service is \$4,000,000, to which is to be added the sum of \$500,000 from the fund available for the operation of the Government Air Mail Service. This makes a total for 1928 for this service of \$4,500,000. The Budget recommendation for the ensuing fiscal year for this purpose was \$6,000,000. The increase over current appropriations was to enable expansion of the air mail contract service. The subcommittee, after going into the subject carefully, concluded that to this total there should be added for expansions of the service the sum of \$400,000 plus \$30,000 for needs of the Post Office Department for personnel to supervise the air mail work. Hence this bill carries a total of \$6,430,000 for the air mail contract service.

As pointed out in the committee report on this bill, the growth of this service has been tremendous during the past two years; and to-day there is heavy pressure from every quarter for the extension of air mail routes. The service, of course, is of a spectacular character, but its extension must be made conserva-

tively and with due regard to legitimate needs and requirements. No definite figures are obtainable as to the net cost to the Government of this service. Only suggestive figures could be secured. These are based on a seven-day test in October last. The difference between the amount paid air mail contractors and the revenue from air mail stamps for this test period, October 10 to 16, was \$17,651.46; that is to say, the net cost to the Post Office Department for this period was \$17,651.46. Assuming these figures as constituting a fair average, the total excess of expenditures over receipts on account of the air mail contract service will run under present conditions to \$847,270.08 for the year—in round numbers, \$850,000. These figures, however, do not take into consideration the amounts expended and being expended through the Department of Commerce for the lighting of airways. When these lightings are established the cost of maintaining them should not be relatively a very large item.

It developed in the hearings that out of the 15 air mail contractors, perhaps not more than a half dozen are now making money on their contracts. The mail now being carried by air is the straight air mail postage, first-class mail prepaid at the rate of 10 cents per half ounce. Under the act of June 3, 1926, the total contract price which may be paid by the Postmaster General for this kind of mail is \$3 per pound for the first thousand miles and 30 cents per pound additional for each hundred miles in excess of 1,000 miles. The earlier contracts were usually on the \$3 per pound basis, as contractors did not then have the experience necessary to guide them and they bid the maximum allowed. Later experience and competition have played their part in the equation, and some of the newer contracts are based on much lower rates than were those of the earlier contracts, though the service required may be as exacting as that for which the maximum rate is allowed. To give a few examples: The rate now being paid on the route between Chicago and St. Paul is \$2.75 per pound, whereas the rate from Salt Lake to Los Angeles is \$3 per pound; and the rate from Chicago to Dallas is \$3 per pound; again, the rate from Cheyenne to Pueblo is 83 cents a pound; from Albany to Cleveland, \$1.11; from New York to Chicago, \$1.24; and from Cleveland to Louisville—soon to be placed in operation—will be \$1.22 per pound.

It may be interesting to know that the present total mileage of air mail routes is 8,044 miles and the number of routes 18, with a total of 17,444 miles flown thereover daily. In addition, seven new routes have been contracted for, with a total mileage of 3,656 miles, over which there will be a total daily flight of 7,312 miles. The new routes will be in operation on or before July 1 next, and on that date there should be in operation a total of 25 air mail routes, with a total length of 11,700 miles and a total daily flight of 24,756 miles.

Some of these routes are lighted, others are being lighted. Routes which have been day lines have been lighted and are being converted into night lines. The lighting of these airways is performed by the Department of Commerce. It is expected that by the 1st of next July there will be a total of 7,500 miles of these airways lighted. Of the additional 4,200 miles to be placed under air mail contract by the 1st of July a substantial portion will have to be lighted. In this connection I might suggest that these night-flying courses for our Postal Service, with much more accuracy, as well as with much more poetic suggestion, can be termed "star routes" than may be those post roads and post trails in the undeveloped sections of the country which have always borne this designation.

At this point I should like to include a list of the present air-mail routes and those under contract, and also tables showing the total weights of mail carried on the various air mail routes since the establishment of the air mail contract service on October 31, 1927; also some other brief tables, which will be informative:

#### AIR MAIL ROUTES

C. A. M. 1. Boston, Mass., via Hartford, Conn., to New York, N. Y., and return, 192 miles each way. Contract awarded October 7, 1925, to Colonial Air Transport (Inc.); 270 Madison Avenue, New York, N. Y., at \$3 per pound; service commenced July 1, 1926.

C. A. M. 2. Chicago, Ill., via Peoria and Springfield, Ill., to St. Louis, Mo., and return, 278 miles each way. Contract awarded October 7, 1925, to Robertson Aircraft Corporation, Anglum, Mo., at \$2.53125 per pound; service commenced April 15, 1926.

C. A. M. 3. Chicago, Ill., via Moline, Ill., St. Joseph and Kansas City, Mo., Wichita, Kans., Ponca City and Oklahoma City, Okla., to Fort Worth and Dallas, Tex., and return, 987 miles each way. Contract awarded October 7, 1925, to National Air Transport (Inc.), 506



South Wabash Avenue, Chicago, Ill., at \$3 per pound; service commenced May 12, 1926.

C. A. M. 4. Salt Lake City, Utah, via Las Vegas, Nev., to Los Angeles, Calif., and return, 600 miles each way. Contract awarded October 7, 1925, to Western Air Express (Inc.), 113 West Ninth Street, Los Angeles, Calif., at \$3 per pound; service commenced April 17, 1926.

C. A. M. 5. Salt Lake City, Utah, via Boise, Idaho, to Pasco, Wash., and return, 530 miles each way. Contract awarded October 7, 1925, to Walter T. Varney, post-office box 722, Boise, Idaho, at \$3 per pound; service commenced April 6, 1926.

C. A. M. 6. Detroit, Mich., to Cleveland, Ohio, and return, 91 miles each way. Contract awarded November 25, 1925, to Ford Motor Co., Dearborn, Mich., at \$1.08 per pound; service commenced February 15, 1926.

C. A. M. 7. Detroit, Mich., to Chicago, Ill., and return, 237 miles each way. Contract awarded November 25, 1925, to Ford Motor Co., Dearborn, Mich., at \$1.08 per pound; service commenced February 15, 1926.

C. A. M. 8. Seattle, Wash., via Portland and Medford, Oreg., San Francisco, Fresno, and Bakersfield, Calif., to Los Angeles, Calif., and return, 1,099 miles each way. Contract awarded December 31, 1925, to Pacific Air Transport (Inc.), 593 Market Street, San Francisco, Calif., at \$2.8125 per pound; service commenced September 15, 1926.

C. A. M. 9. Chicago, Ill., via Milwaukee, Madison, and La Crosse, Wis., to St. Paul and Minneapolis, Minn., and return, 383 miles each way. Contract awarded January 11, 1926, and service commenced June 7, 1926; Northwest Airways (Inc.), St. Paul, Minn., present contractor, at \$2.75 per pound.

C. A. M. 11. Cleveland, Ohio, via Youngstown, Ohio, and McKeesport, Pa., to Pittsburgh, Pa., and return, 123 miles each way. Contract awarded March 27, 1926, to Clifford Ball, 407 Market Street, McKeesport, Pa., at \$3 per pound; service commenced April 21, 1927.

C. A. M. 12. Cheyenne, Wyo., via Denver and Colorado Springs, Colo., to Pueblo, Colo., and return, 199 miles each way. Contract awarded March 29, 1926, and service commenced May 31, 1926; Western Air Express (Inc.), 113 West Ninth Street, Los Angeles, Calif., present contractor, at \$0.83 per pound.

C. A. M. 16. Cleveland, Ohio, via Akron, Columbus, Dayton, and Cincinnati, Ohio, to Louisville, Ky., and return, 339 miles each way. Contract awarded October 10, 1927, to Continental Air Lines (Inc.), 1259 Union Trust Building, Cleveland, Ohio, at \$1.22 per pound; service not yet in operation.

C. A. M. 17. New York, N. Y., via Cleveland, Ohio, to Chicago, Ill., and return, 723 miles each way. Contract awarded April 2, 1927, to National Air Transport (Inc.), 506 South Wabash Avenue, Chicago, Ill., at \$1.24 per pound; service commenced September 1, 1927.

C. A. M. 18. Chicago, Ill., via Iowa City and Des Moines, Iowa, Omaha and North Platte, Nebr., Cheyenne and Rock Springs, Wyo., Salt Lake City, Utah, Elko and Reno, Nev., and Sacramento to San Francisco, Calif., and return, 1,904 miles each way. Contract awarded

January 29, 1927, to Boeing Air Transport (Inc.), Georgetown Station, Seattle, Wash., at \$1.50 per pound; service commenced July 1, 1927.

C. A. M. 19. New York, N. Y., via Philadelphia, Pa., Washington, D. C., Richmond, Va., Greensboro, N. C., and Spartanburg, S. C., to Atlanta, Ga., and return, 773 miles each way. Contract awarded February 28, 1927, to Pitcairn Aviation (Inc.), Land Title Building, Philadelphia, Pa., at \$3 per pound; service not yet in operation.

C. A. M. 20. Albany, N. Y., via Schenectady, Syracuse, Rochester, Buffalo, N. Y., to Cleveland, Ohio, and return, 452 miles each way. Contract awarded July 27, 1927, to Colonial Western Airways (Inc.), 270 Madison Avenue, New York, N. Y., at \$1.11 per pound; service commenced December 17, 1927.

C. A. M. 21. Dallas, via Houston, to Galveston, Tex., and return, 283 miles each way. Contract awarded August 17, 1927, to Texas Air Transport (Inc.), Fort Worth Club Building, Fort Worth, Tex., at \$2.89 per pound; service to commence February 6, 1928.

C. A. M. 22. Dallas, via Waco, Austin, and San Antonio, to Laredo, Tex., and return, 417 miles each way. Contract awarded August 17, 1927, to Texas Air Transport (Inc.), Fort Worth Club Building, Fort Worth, Tex., at \$2.89 per pound; service to commence February 6, 1928.

C. A. M. 23. Atlanta, Ga., via Birmingham and Mobile, Ala., to New Orleans, La., and return, 478 miles each way. Contract awarded August 19, 1927, to St. Tammany Gulf Coast Airways (Inc.), room R, mezzanine floor, Roosevelt Hotel, New Orleans, La., at \$1.75 per pound; service not yet in operation.

C. A. M. 24. Chicago, Ill., via Indianapolis, Ind., to Cincinnati, Ohio, and return, 270 miles each way. Contract awarded November 15, 1927, to Embury-Riddle Co., Lunken Airport, Cincinnati, Ohio, at \$1.47 per pound; service commenced December 17, 1927.

C. A. M. 25. Atlanta, Ga., via Jacksonville, to Miami, Fla., and return, 595 miles each way. Contract awarded November 23, 1927, to Pitcairn Aviation (Inc.), Land Title Building, Philadelphia, Pa., at \$1.46 per pound; service not yet in operation.

C. A. M. 26. Great Falls, via Helena and Butte, Mont., and Pocatello, Idaho, to Salt Lake City, Utah, and return, 493 miles each way. Contract awarded December 30, 1927, to Alfred Frank, Salt Lake City, Utah, at \$2.475 per pound; service not yet in operation.

#### FOREIGN MAIL ROUTES

F. M. 2. Seattle, Wash., to Victoria, British Columbia, and return, 84 miles each way. Contract awarded May 23, 1927, to Northwest Air Service (Inc.), care of postmaster, Seattle, Wash., at \$190 per round trip; service commenced July 1, 1927.

F. M. 3. New Orleans to Pilotown, La., and return, 80 miles each way. Contract awarded May 21, 1927, to Arthur E. Cambas, 4322 Burgundy Street, New Orleans, La., at \$110 per round trip; service commenced July 1, 1927.

F. M. 4. Key West, Fla., to Habana, Cuba, 90 miles one way (Cuban mail carried on return trip). Contract awarded July 19, 1927, to Pan American Airways (Inc.), 50 East Forty-second Street, New York, N. Y., at 40½ cents per pound; service commenced October 19, 1927.

Statement showing weight of mail (pounds) carried by the various routes since establishment of the contract air mail service to October 31, 1927

Month	Route No. and termini																
	No. 1 Boston- New York	No. 2 Chi- cago- St. Louis	No. 3 Chi- cago- Dallas	No. 4 Salt Lake City- Los Angeles	No. 5 Salt Lake City- Pasco	No. 6 <sup>1</sup> De- troit- Cleve- land	No. 7 <sup>1</sup> De- troit- Chi- cago	No. 8 Seattle- Los Angeles	No. 9 Chi- cago- Minne- apolis	No. 10 Jack- son- ville- Miami	No. 11 Cleve- land- Pitts- burgh	No. 12 Chey- enne- Pueblo	No. 13 Phila- delphia- Wash- ington	No. 15 Phila- delphia- Nor- folk	No. 17 New York- Chi- cago	No. 18 Chi- cago- San Francisco	
1926																	
February						131	302										
March						98	337										
April		(9)		(9)	(9)	150	428			(9)							
May		(9)	(9)	(9)	(9)	182	646			(9)		(9)					
June		(9)		(9)	(9)	135	591			(9)		(9)					
July	1,908	2,753	8,559	7,917	2,439	147	736		1,355	1,255		2,284	260				
August	1,017	3,373	8,133	8,514	5,562	193	706		1,242	1,271		2,084	159				
September	992	2,993	7,764	8,780	4,825	250	521	3,283	911	2,509		2,192	166				
October	828	2,836	8,414	9,507	7,006	225	623	5,490	1,446	2,451		2,665	48	431			
November	668	2,074	7,968	8,816	7,125	106	410	4,951	1,345	1,830		2,032		361			
December	1,069	2,724	8,084	11,063	3,274	104	529	5,950	1,496	1,517		2,940					
1927																	
January	563	3,848	6,481	10,363	2,259	79	376	5,087	1,374			2,080					
February	707	2,108	6,620	13,797	2,958	82	816	4,380	1,347			2,222					
March	1,179	2,422	8,009	16,212	3,764	88	858	5,424	1,737								
April	1,520	2,402	10,106	16,041	3,935	171	797	5,322	2,073			919					
May	1,590	2,363	9,460	15,213	4,304	172	913	5,325	2,157			1,763	3,573				
June	2,603	3,856	10,542	17,120	5,392	235	982	6,151	2,730			1,992	3,443				
July	2,222	2,940	9,509	17,390	5,503	127	1,064	6,709	2,505			2,026	3,537			46,057	
August	2,425	3,526	10,029	17,602	5,690	202	1,341	6,800	2,820			2,364	3,599			45,651	
September	2,242	2,960	9,892	17,647	6,126	172	1,329	7,370	2,829			1,905	3,406		44,365	46,241	
October	1,688	3,064	10,305	18,993	6,871	155	1,360	7,739	2,766			2,565	3,419		45,599	46,105	
November	1,448	2,474	9,322	18,187	6,112	72	880	7,330	2,427			3,299	3,157		41,253	45,120	
Total	24,819	48,718	149,247	233,762	83,147	3,276	16,545	87,311	32,560	10,893	16,833	46,831	633	792	131,217	232,174	

<sup>1</sup> Net weight only.

<sup>2</sup> Count of postage basis.

The following is weight of mail carried by airplane on the transcontinental and New York-Chicago overnight routes from February, 1926, to June, 1927:

Month	Transcontinental		New York-Chicago (night)	
	West	East	West	East
<b>1926</b>				
February.....	8,046	8,042	2,497	2,815
March.....	9,394	9,293	4,000	3,973
April.....	9,535	10,425	4,049	4,520
May.....	10,754	11,925	5,486	6,820
June.....	12,873	12,593	6,254	7,949
July.....	11,243	11,993	6,088	8,840
August.....	12,556	12,695	6,322	9,453
September.....	14,065	13,641	7,612	9,277
October.....	14,027	15,114	7,249	9,149
November.....	12,918	13,240	5,521	8,124
December.....	17,527	16,745	6,512	9,300
<b>1927</b>				
January.....	11,536	14,387	5,187	6,818
February.....	14,125	16,631	3,856	7,220
March.....	16,812	20,979	6,185	8,915
April.....	16,323	20,282	6,401	8,063
May.....	16,917	20,268	7,177	8,612
June.....	21,998	22,108	10,036	9,578

Consolidated statistical report for fiscal year 1926  
[February 15 to June 30, 1926]

Month (all routes)	Length of route	Frequency (round trips per month scheduled)	Miles of service		Postage value of mail dispatched	Amount paid to contractors	Net weight 6 and 7
			Scheduled	Actually flown			
	<i>Miles</i>						<i>Pounds</i>
February.....	328	24	7,872	7,070	\$1,729.00	\$466.82	433
March.....	328	54	17,712	16,251	1,737.00	464.38	435
April.....	2,034	108	64,444	58,835	21,185.76	15,148.78	578
May.....	3,220	148½	125,312	123,193	42,481.82	31,799.68	828
June.....	3,597	235½	195,730	190,996	51,272.98	41,874.05	726
Total.....			411,070	396,345	118,406.56	89,753.71	3,000

<sup>1</sup> Route 3 was changed to weight basis on June 20, and postage value for June 20 to 30 was estimated at 10 cents per letter and 20 letters to the gross pound (including equipment).

NOTE.—All routes were on a count of postage basis except 6 and 7, which were on a net weight basis, the postage value being estimated at 10 cents per letter and 40 letters per net pound.

Routes involved: C. A. M.—6, Detroit, Mich., to Cleveland, Ohio (established February 15, 1926); 7, Detroit, Mich., to Chicago, Ill. (established February 15, 1926); 10, Jacksonville, Fla., to Miami, Fla. (established April 1, 1926); 5, Elko, Nev., to Pasco, Wash. (established April 6, 1926); 2, Chicago, Ill., to St. Louis, Mo. (established April 15, 1926); 4, Salt Lake City, Utah, to Los Angeles, Calif. (established April 17, 1926); 3, Chicago, Ill., to Dallas, Tex. (established May 12, 1926); 12, Cheyenne, Wyo., to Pueblo, Colo. (established May 31, 1926); 9, Chicago, Ill., to Minneapolis, Minn. (established June 7, 1926).

Consolidated statistical report for fiscal year 1927

Month (all routes)	Length of routes	Frequency (round trips per month scheduled)	Miles of service		Total weight of mails dispatched	Amount paid to contractor
			Scheduled	Actually flown		
1926						
July.....	Miles				Pounds	
August.....	3,912	298½	222,370	214,585	26,673	\$82,619.12
September.....	3,912	299½	220,284	214,368	32,404	91,367.70
October.....	5,301	307	248,570	228,775	35,246	100,474.42
November.....	5,456	325	269,062	256,189	42,070	121,908.12
December.....	5,456	312	289,109	257,057	37,686	109,878.18
	5,178	297	286,254	239,433	39,340	114,087.74
1927						
January.....	4,495	262	244,010	205,612	32,510	93,552.23
February.....	4,495	240	223,412	191,353	35,037	101,263.52
March.....	4,495	274	251,778	233,308	42,111	121,987.91
April.....	4,618	275	246,333	231,998	45,856	133,129.25
May.....	4,618	298½	256,363	248,109	46,133	133,738.10
June.....	4,618	298	253,648	250,491	55,026	159,201.84
Total.....			3,015,993	2,776,108	470,092	1,363,208.13

<sup>1</sup> Operated to and from Salt Lake City, Utah, due to emergency conditions.

Additions and changes: C. A. M.—13, Philadelphia, Pa., to Washington, D. C. (established July 6, 1926); 8, Seattle, Wash., to Los Angeles,

Calif. (established September 15, 1926); 10, extended north to Atlanta, Ga., September 15, 1926; 13 discontinued October 9, 1926; 15, Philadelphia, Pa., to Norfolk, Va. (established October 10, 1926, discontinued November 30, 1926); 10, discontinued December 31, 1926; 11, Cleveland, Ohio, to Pittsburgh, Pa. (established April 21, 1927).

Consolidated statistical report for the first half fiscal year 1928  
[From July 1 to December 31, 1927]

Month (all routes)	Length of routes	Frequency (round trips per month scheduled)	Miles of service		Total weight of mails dispatched	Amount paid to contractor
			Scheduled	Actually flown		
1927	Miles				Pounds	
July-----	6,617	329	377,336	375,923	99,589	\$250,891.15
August-----	6,617	338	379,991	376,998	102,047	258,963.45
September-----	7,340	384½	455,052	444,519	146,486	312,809.88
October-----	7,340	394	466,638	449,562	153,649	329,531.51
November-----	7,360	385	456,534	413,054	141,080	304,082.70
December-----	7,810	428	489,417	(1)	162,737	(1)
Total-----			2,624,968		\$05,588	

<sup>1</sup> Not compiled at this writing.

The question may be asked "Does the air mail service justify its cost?" I should say "Yes." Aside from any benefits which may arise from the standpoint of a quickened Postal Service, and aside from the question of added convenience to the patrons of that service, there are other considerations, I believe, quite as important as these. The operation of the Air Mail Service in this country has greatly aided the general interests of aviation, both commercial and military. Except for the pioneer work of the fearless flyers of the Air Mail Service operating directly under the Post Office Department, the demonstration could not have been made which was made, that this whole work is feasible, and may be commercially profitable in the hands of private contractors.

Mr. TILSON. Will the gentleman yield?

Mr. THATCHER. Yes.

Mr. TILSON. What the gentleman has stated is amply justified by results thus far obtained, and every consideration ought to be given to the air-mail routes. Is the gentleman sure that these routes are paying sufficiently so that there will be no difficulty in the future in having the contracts continued?

Mr. THATCHER. As I stated a moment ago, the testimony before our subcommittee was to the effect that at least half a dozen of the 17 or 18 operators are making money on their contracts. Some of them are doing very nicely, others are breaking even, and others are, perhaps, losing money. In my judgment, all of this will adjust itself after further experience, whereby those engaged in this work will be able to bid and be able to base their bids upon known conditions and known experiences; and they will be able to protect themselves just as bidders for other classes of mail transported on the land are in position to do.

Mr. TILSON. Does not the gentleman fear that some of these routes already established will have to be given up?

Mr. THATCHER. Some of them may be given up.

Mr. MADDEN. Some of them have already been given up.

Mr. THATCHER. And the "star route" contractors sometimes fail; but the entire work is getting more and more stabilized, and as experience goes on they will be able, better and better, to meet the conditions required. I believe that ultimately they will be able to bid with as much security, with as much knowledge of what is to take place, as may the bidders who transport the everyday mail of the country.

Mr. MADDEN. If the gentleman will permit, what they will really have to get before long is legislation which will recognize the ability which they possess, and will also recognize the necessity of recognizing such ability and genius; and instead of having to compete with anybody who has not a dollar or see the contract given to a man without a dollar or without experience, give the contract to a man who has the money, the experience, the ability, the determination to win and to place this service on a positive, successful plane of business, and thereby help to develop what we might call a system of preparedness that may be built around the Air Service of the country. This is what we will have to take into consideration in the development of this service.

Mr. TILSON. Then the gentleman is of the opinion that more power and authority should be given to the administrative officers in connection with this matter?

Mr. MADDEN. Yes; we have got to do that.



Mr. THATCHER. Thus it has come about that the Government has gone out of this operation and private enterprise has stepped into it and is meeting all the requirements involved.

The practical knowledge and experience which has been derived and will be derived from air-mail operation will also prove of the greatest advantage to our military service and to our commercial operations. In the light of the marvelous progress which has already been made in aviation, it is hardly possible to visualize what to-morrow will bring forth.

To-day we have had in the galleries of the House the two distinguished French aviators who have just arrived in Washington after a 23,000-mile flight beginning at Paris, and which spanned the Atlantic sea and led northward through Latin America to our own shores. They are carrying forward, in a glorious way, the aviation work of a great people who have shown every aptitude for aviation.

If the air mail service of our own country had done no more than develop—as it did develop—the “Lone Eagle of the Skies,” the heroic Lindbergh, that service would have justified its cost a hundredfold. [Applause.]

Mr. BYRNS. Mr. Chairman, I yield 10 minutes to the gentleman from South Carolina [Mr. STEVENSON].

Mr. STEVENSON. Mr. Chairman, since this Congress has assembled there has been considerable uneasiness expressed in certain quarters with reference to the extensive loans by the Federal reserve banks, especially in New York, known as brokers' loans, made not by the Federal reserve banks but by member banks, and it has come to the point where all sorts of remedies are being proposed.

For instance, we have before us in the Banking and Currency Committee a resolution introduced by the gentleman from Iowa [Mr. DICKINSON] in behalf, I suppose, of agriculture, in which he proposed to fix the law so that in a Federal reserve city—

as now or hereafter defined, and the Federal Reserve Board finds that such member bank makes extensive loans for use in dealing in securities on the stock exchange or in unlisted securities not eligible for rediscount in a Federal reserve bank, the board may require such member bank to hold and maintain with the Federal reserve bank of its district an actual net balance, in excess of the balance required in paragraph (c), in such amount as the board deems necessary to insure the safety of the member bank; but the total balance required to be so held and maintained by such member bank shall not be in excess of an amount equal to 20 per cent of the aggregate amount of its demand deposits and 5 per cent of its time deposits.

That resolution merely expresses the feeling that has grown up and is a tentative opinion as to what can be done and what can not be done from time to time. You will notice that the resolution says that “when the member bank makes extensive loans.” Who is to determine what is an “extensive loan”? The fact is it is entirely unworkable. In addition to that, it penalizes one bank because it has made extensive loans, but that would not amount to anything if the business is large.

I do not expect to discuss the unworkable conditions of the resolution.

What has begun and what has gone on and what can be done? Speculation in stocks has gone on until the people begin to be alarmed at the enormous investments of reserves carried in the Federal reserve banks being loaned to member banks and by those placed with brokers who are dealing in stocks and securities that were not rediscountable in Federal reserve banks.

It got to the point where there was so much discussion that the President of the United States saw fit to come out with a statement, which was all right, but which I think was a mistake, but he made it on his responsibility and judgment.

That did to a certain extent relieve the pressure for a little while. But the thing went on until criticism became very active in a good many quarters, and you will notice what the result has been, and you will notice that it is a legitimate result.

The first thing was the raising of the discount rate in Chicago from 3½ to 4 per cent. That was a temporary setback to the market, and the newspapers said there was a shrinkage of a billion dollars in one day. Maybe that is true. There was a temporary fall on securities to that extent. That was simply the beginning of the program which no doubt was properly begun by the Federal Reserve Board in suggesting the bringing about of the slowing down of what seems to be a speculative market. They let that stand for a few days, and the market steadied itself, and then the Dallas bank raised its discount rate to 4 per cent.

From that time on, about once a week one of the banks raised its rediscount rate until nearly all are up to 4 per cent, and the apparent speculative borrowing has been largely curtailed.

That is the way in which the Federal reserve bank can act, and not by some ironclad proposition by which you have got to step into a city where a bank is loaning extensively in that kind of paper and say to it, “You must be penalized by keeping a larger reserve against your deposits.” I do not know, but I imagine that this has gone on until all but one or two of the banks have put their rates up to 4 per cent. They did not do it all at once, and it was well advised that they did not. At one time when the sentiment was becoming a little scary, and when there was great criticism of this wide extension of loans in the stock markets, if at that time there had been at once a raise of the rate of discount in all of the Federal reserve banks there would have been an alarming cataclysm in the stock market which might have ruined many good issues for the time being.

The Federal Reserve Board, as I conceive it, is following the line it should follow when it sees a situation of that kind develop. It gives a cushion to the fall, and it goes at it gradually, and raises the discount rate gradually, and it is doing it to-day. The result is that without any great wrench in the market we have an example of what the reserve board and the reserve system can do, judiciously and quietly, starting away off from the center of speculation, to steady things and stop that which is tending to become too speculative.

A question was raised some time ago when the Federal Reserve Board insisted on the Chicago bank lowering its rates. Some very rash talk was indulged in here by some men whose knowledge I conceive they think to be ultimate about that to the effect that the Federal Reserve Board has no right to require a bank to either lower or raise its rate of discount. All of you remember that. It was lowered at a time when there was surplus of money and at a time when, especially in the West in the great Chicago section, the crops were moving, where cheap money was desirable; and that was brought about by that very action. Not much has been said about that in the House of Representatives, and I conceive that the Federal Reserve Board was entirely within its rights. It hardly ever exercises that right, because a mere suggestion from them to any board of directors of any one of the banks is enough to bring about a change in the rediscount rates. In that instance their right to do this was questioned. I take advantage of this opportunity to read to you a few lines of the Federal reserve act, which confers the power upon them, which was vigorously challenged by some people in and around Washington.

The discount and rediscount by purchase and sale by any Federal reserve bank of any bills receivable and of domestic and foreign bills of exchange and acceptances, authorized by this act, shall be subject to such restrictions, limitations, and regulations as may be imposed by the Federal Reserve Board.

If that does not give them the right to regulate the rate which they shall charge, I can not conceive of anything that is more calculated to do it.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. BYRNS. Mr. Chairman, I yield five minutes more to the gentleman.

Mr. BLACK of Texas. Mr. Chairman, will the gentleman yield?

Mr. STEVENSON. Yes.

Mr. BLACK of Texas. Also, in view of the fact that the Federal reserve banks are banks of issue, does not the gentleman think it is wise that that authority be conferred upon some centralized agency such as the Federal Reserve Board?

Mr. STEVENSON. I do. I think it was wisely conferred, and I think it is explicitly conferred, and I think that generally it has been wisely exercised. I think it was wisely exercised in the Chicago case last year, when they needed cheap money in that country where they were moving the crops.

Mr. MORTON D. HULL. And there is another paragraph that relates to the right of review, with reference to the powers of the board.

Mr. STEVENSON. The paragraph to which the gentleman refers says the Federal reserve banks have the right “to establish from time to time, subject to review and determination of the Federal Reserve Board, rates of discount to be charged,” and so forth. If only the right to “review” was given, the power of the board might be questioned, but words were used to mean something, and “determination” was added evidently to allow the board power to change the rate after it reviewed it; and they exercised that right in the Chicago case, reviewed the rate in existence, decided it was too high for the then existing conditions, and “determined” the desirable rate and directed it to be inaugurated. The sweeping power to regulate all condi-

tions of discount cited above is inconsistent with any other construction.

When they get ready to say on what conditions the Federal reserve bank can buy paper of member banks, one of the very important conditions is the question of what rate of discount they shall charge. With regard to all of this, the Banking and Currency Committee to-day is being flooded with resolutions and bills looking to fixing the rate of interest that shall be charged, and all that kind of thing, and fixing a great many of the other things that are left in the power of the board.

Let us for a moment look at what the board can do and what it does and how it does manage to regulate speculative conditions. In the first place, it can raise and lower the rate of discount, and it has raised it in nearly all of the banks, and thereby they judiciously curb what appears to be a coming speculative era.

In addition to that they have two powers. First, they can go on the open market and buy or sell paper. They have always from \$300,000,000 to \$500,000,000 of paper which they can sell and put on the market, and when the markets become speculative, in the places where that apparent speculation needs to be curbed, the question of withdrawing circulation of money in that vicinity arises, and what do they do? They take their acceptances and short-time United States paper and say, "Go out and sell \$500,000,000 of this paper." (I use these figures as an illustration; they may be much larger than the fact.) They put it on the market and attract people who have money in bank, and they buy this paper quickly and readily; and so the money is drawn out of the banks and paid into the Federal reserve banks and they lock it up, and that money is taken out of circulation to that extent. If they have made money a little scarcer, they have stopped the speculative era, because they have stopped the floating of loans on ineligible collateral.

And then, again, when money is tight and they realize that industry and business is being hampered with the tightness of money, then what do they do? They lower the discount rate and give directions to buy a large amount of these acceptances, the short-time paper, the paper that is always gilt edged and will be coming in, and they send out and buy from \$300,000,000 to \$500,000,000 of it, and put it in their tills, and put the money in circulation.

And there you have a loosening up of money by these two processes under the Federal Reserve Board, through the Federal reserve banks having exercised the power, and in my judgment they have usually exercised it judiciously, either to ease business, on the one hand, or to curb a speculative era on the other. And for that reason I think it is well that we might stop and consider very carefully the many propositions that are being made to hamper and tie up this board and fix rates so that they can not use them for the purpose for which they were created, for the purpose of stabilizing business and supplying money to business when it needs it and withdrawing money when it does not need it. Sometimes mistakes have been made as to the proper treatment and bad results have followed, but usually the prudent, careful handling of these forces have been the safety of business. [Applause.]

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. MADDEN. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. MICHENER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill (H. R. 10635) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1929, and for other purposes, had come to no resolution thereon.

#### SONS OF UNION VETERANS OF THE CIVIL WAR

Mr. BEERS. Mr. Speaker, I offer a privileged resolution, which I send to the Clerk's desk.

The SPEAKER. The gentleman from Pennsylvania offers a privileged resolution, which the Clerk will report.

The Clerk read as follows:

#### House Resolution 58

Resolved, That there shall be printed as a House document the proceedings of the annual report of the forty-sixth annual encampment by the commander in chief of Sons of Union Veterans of the Civil War for the year 1927, with accompanying illustrations.

The SPEAKER. The question is on agreeing to the resolution.

Mr. GARRETT of Tennessee. This resolution, as I understand it, is a unanimous report from the committee?

Mr. BEERS. Yes.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. BLAND for an indefinite period, on account of illness in his family.

To Mr. WILLIAMS of Missouri (at the request of Mr. COCHRAN of Missouri), for three days, on account of illness.

#### ADJOURNMENT

Mr. MADDEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 44 minutes p. m.) the House adjourned, under the order previously made, until Monday, February 13, 1928, at 12 o'clock noon.

#### COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Saturday, February 11, 1928, as reported to the floor leader by clerks of the several committees:

#### COMMITTEE ON APPROPRIATIONS

(10.30 a. m.)

Department of Agriculture appropriation bill.

#### COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

(10.30 a. m.)

To amend an act entitled "An act for the regulation of radio communications," approved February 23, 1927 (H. R. 8825).

#### COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

(10 a. m.)

Granting the consent of Congress to the Great Falls Bridge Co. to construct a bridge across the Potomac River (H. R. 7340).

Authorizing the Great Falls Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Potomac River at or near the Great Falls (H. R. 9830).

Granting the consent of Congress to the Delaware & New Jersey Bridge Corporation, a corporation of the State of Delaware, domiciled at Wilmington, Del., its successors and assigns, to construct, maintain, and operate a bridge across the Delaware River (H. R. 7725).

Granting the consent of Congress to Stranahan, Harris & Oatis, a corporation organized under the laws of the State of Ohio, and Edward Ball, of the county of Duval, State of Florida, their successors and assigns, to construct, maintain, and operate a bridge across the Delaware River (H. R. 8287).

For Monday, February 13, 1928

#### COMMITTEE ON THE POST OFFICE AND POST ROADS

(10 a. m.)

To amend Title II of an act approved February 28, 1925, regulating postal rates (H. R. 9296).

#### COMMITTEE ON NAVAL AFFAIRS

(10.30 a. m.)

To provide for the increase of the Naval Establishment (H. R. 7359).

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. McLEOD: Committee on Patents. H. J. Res. 36. A resolution to amend section 3 of the joint resolution entitled "Joint resolution for the purpose of promoting efficiency, for the utilization of the resources and industries of the United States, etc.," approved February 8, 1918; without amendment (Rept. No. 621). Referred to the House Calendar.

#### ADVERSE REPORTS

Under clause 2 of Rule XIII,

Mr. DYER: Committee on the Judiciary. H. Res. 96. A resolution requesting the Attorney General to furnish information regarding violation of the antitrust laws by the fertilizer corporations and penalties, if any, imposed; adverse (Rept. No. 622). Laid on the table.

#### CHANGE OF REFERENCE

Under clause 2 of Rule XXII, the Committee on Appropriations was discharged from the consideration of the bill (H. R. 4493) for the relief of Hugh S. Gibson, and the same was referred to the Committee on Claims.



## PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BOWMAN: A bill (H. R. 10798) to regulate the practice of the healing art to protect the public health in the District of Columbia; to the Committee on the District of Columbia.

Also, a bill (H. R. 10799) for the lease of land and the erection of a post office at Philippi, W. Va., and for other purposes; to the Committee on Public Buildings and Grounds.

By Mr. HASTINGS: A bill (H. R. 10800) to authorize an appropriation for the relief of the State of Oklahoma on account of roads and bridges damaged or destroyed by the recent flood, to the Committee on Roads.

By Mr. LEATHERWOOD: A bill (H. R. 10801) for the exchange of certain lands situated in the Fort Douglas Military Reservation, in the State of Utah, for watershed lands in Red Butte Canyon, between T. Arthur Moore and the Government of the United States and for other purposes; to the Committee on Military Affairs.

By Mr. MILLER: A bill (H. R. 10802) to amend section 484 of the tariff act of 1922; to the Committee on Ways and Means.

By Mr. SOMERS of New York: A bill (H. R. 10803) to prevent the manufacture, sale, or transportation of improperly labeled or misbranded paint, turpentine, and linseed oil; to the Committee on Interstate and Foreign Commerce.

By Mr. SELVIG: A bill (H. R. 10804) to amend the act entitled "An act to carry into effect provisions of the convention between the United States and Great Britain to regulate the level of Lake of the Woods concluded on the 24th day of February, 1925," approved May 22, 1926; to the Committee on Foreign Affairs.

By Mr. SINCLAIR: A bill (H. R. 10805) to amend section 1 of the tariff act of 1922; to the Committee on Ways and Means.

By Mr. ANTHONY: A bill (H. R. 10806) authorizing the city of Atchison, Kans., and the county of Buchanan, Mo., or either of them, to construct, maintain, and operate a toll bridge across the Missouri River at or near Atchison, Kans.; to the Committee on Interstate and Foreign Commerce.

By Mr. FULMER: A bill (H. R. 10807) to establish and maintain a peacan experimental station at or near the city of Orangeburg, S. C.; to the Committee on Agriculture.

By Mr. REECE: A bill (H. R. 10808) authorizing an appropriation for the erection of a monument or marker at Elizabethton, Tenn.; to the Committee on Military Affairs.

Also, a bill (H. R. 10809) to provide qualifications for the superintendents of national cemeteries and national military parks; to the Committee on Military Affairs.

By Mr. LEA: A bill (H. R. 10810) to limit the location of stations, substations, and branch post offices; to the Committee on the Post Office and Post Roads.

By Mr. McSWAIN: Joint resolution (H. J. Res. 198) to authorize the Department of State to issue passports without charge to farmers traveling in Europe to study agricultural methods; to the Committee on Foreign Affairs.

By Mr. HUDSON: Joint resolution (H. J. Res. 199) to increase the annual rate of compensation of the Capitol police; to the Committee on Accounts.

By Mr. ANDRESEN: Joint resolution (H. J. Res. 200) to amend section 10 of the act entitled "An act to establish the upper Mississippi River wild life and fish refuge," approved June 7, 1924; to the Committee on Agriculture.

By Mr. McSWAIN: Joint resolution (H. J. Res. 201) to prohibit the employment of armed forces to intervene in domestic affairs of any foreign country; to the Committee on Foreign Affairs.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CANFIELD: A bill (H. R. 10811) granting an increase of pension to Isophene Ward; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10812) for the relief of Donald M. Davidson; to the Committee on Military Affairs.

By Mr. CAREW: A bill (H. R. 10813) for the relief of the parents of Donard Murphy; to the Committee on War Claims.

Also, a bill (H. R. 10814) for the relief of the parents of Emmett Murphy, deceased; to the Committee on War Claims.

Also, a bill (H. R. 10815) for the relief of the parents of Garnet Murphy; to the Committee on War Claims.

By Mr. CLANCY: A bill (H. R. 10816) granting a pension to Christine A. Chester; to the Committee on Pensions.

By Mr. COLLIER: A bill (H. R. 10817) to provide for suit against the United States by the Merrill Engineering Co.; to the Committee on Claims.

By Mr. CRAIL: A bill (H. R. 10818) granting an increase of pension to Jennie M. Searle; to the Committee on Invalid Pensions.

By Mr. ENGLAND: A bill (H. R. 10819) authorizing improvement of the Great Kanawha River between Point Pleasant and Deepwater, W. Va.; to the Committee on Rivers and Harbors.

By Mr. FENN: A bill (H. R. 10820) granting an increase of pension to Ella Winchester; to the Committee on Invalid Pensions.

By Mr. W. T. FITZGERALD: A bill (H. R. 10821) for the relief of Frank Lytle and Otis Anne Lytle; to the Committee on Claims.

By Mr. GARRETT of Texas: A bill (H. R. 10822) granting an increase of pension to Lucy G. Foster; to the Committee on Pensions.

By Mr. GIFFORD: A bill (H. R. 10823) granting an increase of pension to Georgianna G. Thayer; to the Committee on Invalid Pensions.

By Mr. HUDSON: A bill (H. R. 10824) for the relief of Edward H. Cotcher; to the Committee on Military Affairs.

By Mr. HUGHES: A bill (H. R. 10825) granting an increase of pension to Lenora V. Ruley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10826) granting an increase of pension to Ruth A. Sharer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10827) granting a pension to Susan A. Riffe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10828) granting a pension to Viola Devore; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10829) granting a pension to Hannah C. Oliver; to the Committee on Invalid Pensions.

By Mr. JOHNSON of South Dakota: A bill (H. R. 10830) granting a pension to Mary Lynch Ickes; to the Committee on Pensions.

By Mr. JOHNSON of Texas: A bill (H. R. 10831) granting an increase of pension to Bridget Mullins; to the Committee on Invalid Pensions.

By Mr. KEARNS: A bill (H. R. 10832) granting an increase of pension to Samantha Snider; to the Committee on Invalid Pensions.

By Mr. KIESS: A bill (H. R. 10833) granting an increase of pension to Alice Black; to the Committee on Invalid Pensions.

By Mrs. LANGLEY: A bill (H. R. 10834) granting a pension to Charles Vogle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10835) granting a pension to William Wells; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10836) granting a pension to S. W. Greer; to the Committee on Pensions.

Also, a bill (H. R. 10837) granting a pension to Catherine Grace; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10838) granting an increase of pension to John S. Combs; to the Committee on Pensions.

By Mr. LETTS: A bill (H. R. 10839) for the relief of Shrader Drug Co.; to the Committee on Ways and Means.

By Mr. McSWAIN: A bill (H. R. 10840) granting a pension to Matt J. Gaines; to the Committee on Pensions.

By Mr. O'BRIEN: A bill (H. R. 10841) granting an increase of pension to Catherine A. Curran; to the Committee on Pensions.

By Mr. O'CONNOR of Louisiana: A bill (H. R. 10842) to provide for a survey of Bayou Terre aux Boeuf, La., with a view to maintaining an adequate channel of suitable width; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 10843) to provide for a survey of Bayou Bienvenue, La., with a view to maintaining an adequate channel of suitable width and depth; to the Committee on Rivers and Harbors.

By Mr. PRATT: A bill (H. R. 10844) granting an increase of pension to Sarah Hubbard; to the Committee on Pensions.

By Mr. REED of New York: A bill (H. R. 10845) granting an increase of pension to Harriet I. Inman; to the Committee on Invalid Pensions.

By Mr. SOMERS of New York: A bill (H. R. 10846) for the relief of Sophie K. Stephens; to the Committee on Claims.

Also, a bill (H. R. 10847) to change the military record of Thomas J. Hayden; to the Committee on Military Affairs.

By Mr. STALKER: A bill (H. R. 10848) granting an increase of pension to Louise D. Warriner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10849) granting an increase of pension to Susan F. Winchell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10850) granting an increase of pension to Annie C. Walbridge; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10851) granting an increase of pension to Ellen M. Cook; to the Committee on Invalid Pensions.

By Mr. SWICK: A bill (H. R. 10852) granting an increase of pension to Sarah Steward; to the Committee on Invalid Pensions.

By Mr. TABER: A bill (H. R. 10853) granting an increase of pension to Mary A. Westlake; to the Committee on Invalid Pensions.

By Mr. THOMPSON: A bill (H. R. 10854) providing for the examination and survey of the Auglaize River in Ohio, and its tributaries, the Blanchard River and the Ottawa River, commonly called Hog Creek, and their tributaries; to the Committee on Flood Control.

Also, a bill (H. R. 10855) granting an increase of pension to Sarah J. Roop; to the Committee on Invalid Pensions.

By Mr. UNDERWOOD: A bill (H. R. 10856) granting an increase of pension to Jennie Hollern; to the Committee on Invalid Pensions.

By Mr. YATES: A bill (H. R. 10857) granting an increase of pension to James Shaw; to the Committee on Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

3616. By Mr. BACHMANN: Petition of Mr. and Mrs. Walter Ritz and 102 signatures of other citizens of Wheeling, Ohio County, W. Va., protesting against the Lankford Sunday observance bill (H. R. 78); to the Committee on the District of Columbia.

3617. By Mr. BEERS: Petition of members of Blue Ridge Council, No. 453, Junior Order of United American Mechanics, favoring restricted immigration; to the Committee on Immigration and Naturalization.

3618. By Mr. BOWMAN: Petition against House bill 78, known as the compulsory Sunday observance law, submitted by petitioners from West Virginia; to the Committee on the District of Columbia.

3619. By Mr. BURTON: Memorial of Springbank Quarterly Meeting of Friends Church, in congregation assembled, at Plainview, Nebr., February 4, 1928, protesting against the proposed naval program contemplating the expenditure of \$740,000,000 to increase the strength of the Navy; to the Committee on Naval Affairs.

3620. Also, report and resolutions adopted at the recent State convention of the Ohio Council of Churches, Columbus, Ohio, regarding international good will, arranging for representation at the centennial celebration of the American Peace Society, indorsing membership in the World Court, opposing the building of a competitive Navy, and other matters; to the Committee on Foreign Affairs.

3621. By Mr. CARSS: Petition by the Duluth Council for Prevention of War, for reduction of armaments; to the Committee on Foreign Affairs.

3622. Also, petition of Duluth (Minn.) Council for the Prevention of War, composed of delegates from religious, fraternal, economic, and political organizations of Duluth, Minn., protesting against the adoption of the \$2,500,000,000 building program for the Navy; to the Committee on Naval Affairs.

3623. By Mr. CARTER: Petition of Hayward Post, No. 68, American Legion, of Hayward, Calif., urging the passage of the Tyson-Fitzgerald bill (S. 777 and H. R. 500); to the Committee on World War Veterans' Legislation.

3624. Also, petition of Hayward Chamber of Commerce, Hayward, Calif., urging the passage of the Tyson-Fitzgerald bill (S. 777 and H. R. 500); to the Committee on World War Veterans' Legislation.

3625. Also, petition of California Cherry Growers' Association, requesting a commission be appointed to inquire into the labor situation in California before a quota is established with Mexico; to the Committee on Immigration and Naturalization.

3626. By Mr. CRAIL: Petition of approximately 300 citizens of Los Angeles County, Calif., against the passage of House bill 78, or any other similar legislation; to the Committee on the District of Columbia.

3627. Also, petition of approximately 50 citizens of Los Angeles County, Calif., in favor of the Civil War pension bill; to the Committee on Invalid Pensions.

3628. By Mr. DEMPSEY: Petition of citizens of Buffalo, N. Y., against Brookhart bill, which affects the motion-picture industry; to the Committee on Interstate and Foreign Commerce.

3629. By Mr. DREWRY: Petition of citizens of Victoria County, Va., against the Lankford Sunday bill; to the Committee on the District of Columbia.

3630. Also, petition of citizens of Sussex County, Va., against the compulsory Sunday observance bill (H. R. 78); to the Committee on the District of Columbia.

3631. By Mr. DYER: Petition of the American Dental Association of St. Louis, giving its unqualified indorsement to the Parker bill (H. R. 5766); to the Committee on Interstate and Foreign Commerce.

3632. Also, petition of citizens of St. Louis, Mo., protesting against the Brookhart bill; to the Committee on Interstate and Foreign Commerce.

3633. Also, petition of Lottie Reese et al., Shelbyville, Ind., against Lankford Sunday observance bill; to the Committee on the District of Columbia.

3634. By Mr. EVANS of Montana: Petition of Guy Davis and other residents of Schatz, Mont., protesting against the passage of House bill 78; to the Committee on the District of Columbia.

3635. By Mr. FENN: Resolutions of the Connecticut State Federation of Women's Clubs (Inc.), indorsing Senate bills 1181 and 1183 and House bills 357 and 6091, with reference to an adequate national forestry policy; to the Committee on Agriculture.

3636. By Mr. FISHER: Petition of J. E. Grinnell and 87 other persons of Shelby County, Tenn., in favor of an increase of pension for the Civil War veterans and their widows; to the Committee on Invalid Pensions.

3637. By Mr. FREEMAN: Petition of H. I. Pettis, of Norwich, and others from Baltic, Jewett City, Taftville, Stonington, and Mystic, Conn., protesting against the passage of compulsory Sunday observance bill (H. R. 78), known as the Lankford bill; to the Committee on the District of Columbia.

3638. Also, petition of Mrs. Charles W. Avery and others, of Norwich, Conn., protesting against compulsory Sunday observance bill (H. R. 78); to the Committee on the District of Columbia.

3639. Also, petition of Harold J. Peckham and others, of Waterford, Conn., against compulsory Sunday observance law, Lankford bill (H. R. 78); to the Committee on the District of Columbia.

3640. Also, petition of James W. Freiburger and others, of New London, Conn., against compulsory Sunday observance, Lankford bill (H. R. 78); to the Committee on the District of Columbia.

3641. Also, petition of C. P. Little and others, of Eastford, Conn., against compulsory Sunday observance, Lankford bill (H. R. 78); to the Committee on the District of Columbia.

3642. Also, petition of Mrs. N. I. Vergason and others, of Waterford, Conn., protesting against compulsory Sunday observance, Lankford bill (H. R. 78); to the Committee on the District of Columbia.

3643. Also, petition of Justin H. Peckham and others, of Gales Ferry, Conn., protesting against compulsory Sunday observance, Lankford bill (H. R. 78); to the Committee on the District of Columbia.

3644. By Mr. GARBER: Petition of the residents of Woods County, Okla., against compulsory Sunday observance as embodied in House bill 78; to the Committee on the District of Columbia.

3645. Also, petition of the residents of Ringwood, Okla., protesting against the enactment of House bill 78 for compulsory Sunday observance; to the Committee on the District of Columbia.

3646. Also, petition of the residents of Alva, Okla., protesting to the passage of House bill 78 for compulsory Sunday observance; to the Committee on the District of Columbia.

3647. Also, petition of the residents of Alfalfa County, in protest to the passage of House bill 78 for compulsory Sunday observance; to the Committee on the District of Columbia.

3648. Also, petition of the residents of Texas County, in protest to the passage of House bill 78 for compulsory Sunday observance; to the Committee on the District of Columbia.

3649. Also, petition of the residents of Enid, Okla., in protest to the passage of House bill 78 for compulsory Sunday observance; to the Committee on the District of Columbia.

3650. Also, letter from Mary Rouse Hyde, Washington, D. C., urging support of the Welch bill (H. R. 6518) to amend the reclassification bill for civil employees; to the Committee on the Civil Service.

3651. Also, letter from Loring, Short & Harmon, Portland, Me., urging support of House bill 11, popularly known as the Capper-Kelly fair price bill; to the Committee on Interstate and Foreign Commerce.



3652. Also, petition of the residents of Lamont, Okla., urging the enactment of legislation for the relief of the Civil War veterans and their widows; to the Committee on Invalid Pensions.

3653. By Mr. AUF DER HEIDE: Petition of 45 residents of Hudson County, N. J., protesting against House bill 78, Sunday observance bill; to the Committee on the District of Columbia.

3654. Also, petition of 65 citizens of Hudson County, N. J. (Union City, West New York, and North Bergen), protesting against House bill 78, Sunday observance bill; to the Committee on the District of Columbia.

3655. Also, petition of 180 citizens of Hudson County, N. J., protesting against House bill 78, Sunday observance bill; to the Committee on the District of Columbia.

3656. By Mr. HUDSPETH: Petition of citizens of Van Zandt County, Tex., indorsing House bill 5581, to prevent gambling in cotton futures; to the Committee on the Judiciary.

3657. Also, petition of residents of Nolan County, Tex., indorsing House bill 5581, to prevent gambling in cotton futures; to the Committee on the Judiciary.

3658. Also, petition of Catholic men of El Paso, Tex., against the Curtis-Reed bill; to the Committee on Education.

3659. By Mr. HAMMER: Petition of Southern Quarterly Meeting of Friends, held at Friendsville, N. C., the 28th of January, 1928, protesting against any increase in our Navy; to the Committee on Appropriations.

3660. By Mr. JOHNSON of Washington: Petition of Elder A. R. Bell and 1,999 other citizens of Tacoma, Pierce County, Wash., opposing compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3661. Also, petition of R. F. Moon and 19 other citizens of Tacoma, Wash., opposing enactment of compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3662. Also, petition of 24 citizens of Lewis County, Wash., opposing compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3663. Also, petition of 137 citizens of Pacific County, Wash., favoring increased pensions for Civil War soldiers and widows; to the Committee on Invalid Pensions.

3664. By Mr. KEARNS: Petition of citizens of New Richmond, Ohio, urging a vote on the Civil War pension bill; to the Committee on Invalid Pensions.

3665. Also, memorial of the Taliaferro Chapter, Daughters of the American Revolution, Georgetown, Ohio, requesting the passage of House Joint Resolution 11, to adopt an official flag code of the United States; to the Committee on the Judiciary.

3666. By Mr. KERR: Petition of the North Carolina State Beekeepers' Association, protesting against the passage of the corn-sugar legislation or any similar bill which would likewise weaken the pure food law; to the Committee on Agriculture.

3667. By Mr. LETTS: Petition of Gustav Wiesel and other citizens of Muscatine, Iowa, protesting against the passage of House bill 78; to the Committee on the District of Columbia.

3668. Also, petition of E. Anthony and other citizens of Davenport, Iowa, protesting against the passage of House bill 78; to the Committee on the District of Columbia.

3669. Also, petition of P. B. Fuhlendorf and other citizens of Davenport, Iowa, protesting against the passage of House bill 78; to the Committee on the District of Columbia.

3670. By Mr. MANLOVE: Petition signed by 16 citizens of Vernon County, Mo., including William Alexander and B. L. Hurt, protesting against the Lankford compulsory Sunday observance bill; to the Committee on the District of Columbia.

3671. Also, petition signed by 47 citizens of Nevada, Mo., including Mrs. J. B. Willard, H. C. Ware, E. E. Jones, and E. J. Nestor, protesting against the Lankford compulsory Sunday observance bill; to the Committee on the District of Columbia.

3672. Also, petition signed by 63 citizens of Vernon, Mo., including George M. Dunkin, W. L. Mesplay, and C. A. Logan, protesting against the Lankford compulsory Sunday observance bill; to the Committee on the District of Columbia.

3673. Also, petition signed by 23 citizens of Nevada, Mo., including Grace E. Milner and Mrs. J. A. Walker, protesting against the Lankford compulsory Sunday observance bill; to the Committee on the District of Columbia.

3674. Also, petition signed by 24 citizens of Lamar, Mo., including Catharin Griffin, Mary H. Hall, Julia S. McKee, and Mary E. Cross, favoring an increase in pension for widows of Civil War veterans; to the Committee on Invalid Pensions.

3675. Also, petition signed by 36 citizens of Tiff City, Mo., including Mrs. Archie Chase, William M. Marsh, Martha A. Devine, Laura Epperson, and Mrs. A. Wilks, favoring increase in pension for widows of veterans of the Civil War; to the Committee on Invalid Pensions.

3676. Petition signed by 91 citizens of Barton and Jasper Counties, Mo., including Edwin Preston, F. S. Bryant, F. M. Kunkler, and Charles J. Tester, favoring increased pensions for widows of veterans of the Civil War; to the Committee on Invalid Pensions.

3677. Petition signed by 20 citizens of Lawrence County, Mo., including Mr. and Mrs. J. D. Wells, of Mount Vernon, Mo., protesting against the Lankford compulsory Sunday observance bill; to the Committee on the District of Columbia.

3678. Petition signed by 25 citizens of Joplin, Mo., including N. Rosenberg, protesting against the Lankford compulsory Sunday observance bill; to the Committee on the District of Columbia.

3679. Petition signed by 23 citizens of Joplin, Mo., including Edith Norsworthy, Mattie Button, and Alma Humphrey, protesting against the Lankford compulsory Sunday observance bill; to the Committee on the District of Columbia.

3680. Petition signed by 13 citizens of Joplin, Mo., including J. B. Steiner, Mrs. H. Smith, and Martha Warner, protesting against the Lankford compulsory Sunday observance bill; to the Committee on the District of Columbia.

3681. Petition signed by 41 citizens of Carthage, Mo., including W. H. Wood and John Harrison, protesting against the Lankford compulsory Sunday observance bill; to the Committee on the District of Columbia.

3682. Petition signed by 73 citizens of Vernon County, Mo., including George F. Sagerty, protesting against the Lankford compulsory Sunday observance bill; to the Committee on the District of Columbia.

3683. Petition signed by 24 citizens of Joplin, Mo., including Cadi Klein and Mrs. G. Potlitzer, protesting against the Lankford compulsory Sunday observance bill; to the Committee on the District of Columbia.

3684. Also, petition signed by 73 citizens of Jasper County, Mo., including H. R. Milbur, W. D. Linder, B. Moore, and Fred Ambrose, protesting against the Lankford compulsory Sunday observance bill; to the Committee on the District of Columbia.

3685. Also, petition signed by 44 citizens of Carthage, Mo., including Mrs. U. M. Davis, protesting against the Lankford compulsory Sunday observance bill; to the Committee on the District of Columbia.

3686. By Mr. MILLIGAN: Petition signed by citizens of Polo, Mo., advocating the increasing of pensions for veterans of the Civil War and their widows; to the Committee on Invalid Pensions.

3687. By Mr. MORROW: Petition of Apache Lodge, Brotherhood of Locomotive Firemen and Enginemen, East Las Vegas, N. Mex., requesting favorable action on Senate bill 1482, abolishing the use of injunctions in labor disputes; to the Committee on Labor.

3688. Also, petition of Chamber of Commerce, Santa Fe, N. Mex., protesting against that part of the Box bill which restricts Latin-American immigration; to the Committee on Immigration and Naturalization.

3689. By Mr. MURPHY: Petition of Rev. R. E. Conrad and the membership of the Freeport Presbyterian Church, protesting against the big naval program; to the Committee on Appropriations.

3690. By Mr. NEWTON: Petition of H. A. Salton, of Minneapolis, and others, against compulsory Sunday observance; to the Committee on the District of Columbia.

3691. By Mr. RAMSEYER: Petition of residents of Poweshiek and Jasper Counties, Iowa, protesting against the passage of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3692. Also, petition of residents of Mahaska County, Iowa, protesting against the passage of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3693. By Mr. SANDERS of New York: Petition of E. L. Kennedy and 37 citizens of Lyndonville, N. Y., and near-by villages, protesting against the Lankford compulsory Sunday observance bill; to the Committee on the District of Columbia.

3694. By Mr. SCHNEIDER: Petition of numerous citizens of Brown County, Wis., protesting against the enactment of House bill 78, or any other bill enforcing the observance of the Sabbath; to the Committee on the District of Columbia.

3695. Also, petition of eight citizens of Green Bay, Wis., protesting against the enactment of compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3696. Also, petition of numerous citizens of Green Bay, Wis., protesting against the enactment of House bill 78, or any other compulsory Sunday observance bill; to the Committee on the District of Columbia.

3697. By Mr. SMITH: Petition signed by Kenneth Leaper and 232 other citizens of Twin Falls, Idaho, protesting against

the enactment of any compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3698. Also, petition signed by Della Casper and 201 other residents of Ada County, Idaho, protesting against the enactment of any compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3699. Also, petition signed by E. J. Whiteside and 15 other residents of Idaho Falls, Idaho, protesting against the enactment of any compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3700. Also, petition signed by Mrs. A. W. Johnson and 73 other residents of Buhl, Idaho, protesting against the enactment of any compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3701. By Mr. STALKER: Petition of Mrs. Sate L. Retan and other citizens of Bath, N. Y., urging the enactment of legislation for an increase in pension for Civil War veterans and their widows; to the Committee on Invalid Pensions.

3702. By Mr. STEELE: Petition of 28 citizens of Atlanta, Fulton County, Ga., protesting against the Lankford Sunday observance bill (H. R. 78); to the Committee on the District of Columbia.

3703. By Mr. STRONG of Kansas. Petitions of voters of Dickinson County, Kans., urging enactment of legislation to increase the pensions of Civil War veterans and their widows; to the Committee on Invalid Pensions.

3704. By Mr. SWING: Petition of citizens of San Diego County, Calif., protesting against compulsory Sunday observance laws; to the Committee on the District of Columbia.

3705. By Mr. THOMPSON: Resolution of the Antwerp Chamber of Commerce, Antwerp, Ohio, favoring an appropriation to continue work to control the European corn borer; to the Committee on Agriculture.

3706. Also, petition of 56 residents of Pandora, Ohio, protesting against the Sunday observance bill (H. R. 78); to the Committee on the District of Columbia.

3707. By Mr. THURSTON: Petition of 125 citizens of Centerville, Iowa, petitioning the Congress to pass legislation increasing the amount of pension of Civil War veterans and their dependants; to the Committee on Invalid Pensions.

3708. By Mr. WELCH of California: Petition from C. Doyen, containing 161 signatures, residents of San Francisco, Calif., favoring the passage of the Welch bill (H. R. 6518) reclassifying the salaries of the United States Federal employees; to the Committee on the Civil Service.

3709. By Mr. WYANT: Petition of Marion Park, president Bryn Mawr College, Bryn Mawr, Pa., indorsing House bill 9284 and Senate bill 2450; to the Committee on Immigration and Naturalization.

3710. Also, petition of national legislative committee of the American Legion, indorsing Wurzbach amendment, Army appropriation bill; to the Committee on Appropriations.

3711. Also, petition of Safe Deposit & Trust Co., Greensburg, Pa., indorsing Capper-Ketcham bill; to the Committee on Agriculture.

3712. Also, petition of residents of Greensburg, Westmoreland County, Pa., protesting against House bill 78; to the Committee on the District of Columbia.

3713. Also, petition of Greensburg Council, No. 82, Order of Independent Americans, Greensburg, Pa., indorsing bill to provide necessary funds to enforce restrictive immigration laws; to the Committee on Immigration and Naturalization.

3714. Also, petition of Board of Supervisors of Wayne County, Mich., praying that Fort Wayne, lying within the corporate limits of the city of Detroit, be ceded to Wayne County for use as a public park; to the Committee on the Public Lands.

3715. By Mr. YATES: Petition of George W. Wellington and others, urging that section 165 of the tax bill be adopted; to the Committee on Ways and Means.

3716. By Mr. ZIHLMAN: Petition of Prudence E. Colliflower and 21 residents of Brunswick, Md., in opposition to the compulsory Sunday observance law; to the Committee on the District of Columbia.

## SENATE

MONDAY, February 13, 1928

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

Almighty God, who didst guide our fathers in the founding of this Republic, and hast granted us an heritage of glorious suffering and the strength of chastening trial, make us ever mindful of the loving spirit of him whose name to-day is honored by a grateful nation. We believe that Thou hast appointed us for the protection of the weak and hast given us

a potent ministry to all the world. Help us, therefore, to close the wide chasm between the strong and weak, the rich and poor, to cast into it all pride and prejudice, luxury and lust, the insolence of riches with the rancor of poverty, that we may fill it full and make a highway for the King to pass over, and that we may build here the holy city foretold by all Thy prophets since the world began.

Grant this for the sake of Him who became poor that we might be made rich, Jesus Christ our Lord. Amen.

The Chief Clerk proceeded to read the Journal of the proceedings of the legislative day of Thursday last, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks, announced that the House had passed a bill (H. R. 10286) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1929, and for other purposes, in which it requested the concurrence of the Senate.

### ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (S. 2656) to establish a minimum area for the Shenandoah National Park, for administration, protection, and general development by the National Park Service, and for other purposes, and it was thereupon signed by the Vice President.

### CALL OF THE ROLL

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Ferris	McLean	Shipstead
Barkley	Fletcher	McMaster	Shortridge
Bayard	Frazier	McNary	Simmons
Bingham	George	Mayfield	Smith
Black	Gerry	Moses	Smoot
Blaine	Gillett	Neely	Steck
Blease	Glass	Norbeck	Steiwer
Borah	Gooding	Norris	Stephens
Bratton	Gould	Nye	Swanson
Brookhart	Greene	Oddie	Thomas
Broussard	Hale	Overman	Trammell
Bruce	Harris	Phipps	Tydings
Capper	Harrison	Pine	Tyson
Caraway	Hawes	Pittman	Wagner
Copeland	Hayden	Ransdell	Walsh, Mass.
Couzens	Heflin	Reed, Mo.	Walsh, Mont.
Curtis	Howell	Reed, Pa.	Warren
Cutting	Johnson	Robinson, Ark.	Waterman
Dale	Jones	Robinson, Ind.	Watson
Denen	Kendrick	Sackett	Wheeler
Edge	King	Schall	Willis
Edwards	McKellar	Sheppard	

The VICE PRESIDENT. Eighty-seven Senators having answered to their names, a quorum is present.

### HOUSE BILL REFERRED

The bill (H. R. 10286) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1929, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

### LINCOLN AND THE UNION

Mr. SMOOT. Mr. President, on the base of the Lincoln statue in Chicago are carved these words:

My paramount object in this struggle is to save the Union.

This was Lincoln's rejoinder to Greeley's criticism of the President's war policy.

In these few words are found the key to Lincoln's plans and purposes in the struggle between the States—the rebellion.

They are particularly significant in these times, for they emphasize the meaning of the Civil War and the importance of nationalism.

Throughout Lincoln's speeches and addresses runs the thread of the Union and the Nation. The Declaration of Independence was the seed of nationalism; the Federal Constitution was the National Union.

Lincoln said in Philadelphia:

I have never had a feeling politically that did not spring from the sentiment embodied in the Declaration of Independence.

In his first inaugural address he said:

I hold that in contemplation of universal law, and of the Constitution, the Union of the States is perpetual.

For many years the language of the Constitution and its interpretation was a matter of popular and judicial dispute. The Supreme Court was established to determine, as far as such a tribunal can determine, what was the truth. The rights of the